

January 24, 2022

Senator William C. Smith, Jr.
Senate Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

RE: SB0017 – Child Custody – Cases Involving Child Abuse or Domestic Violence – Training for Judges – SUPPORT

Chairman Smith,

My name is Annie Kenny, and I am a single mother to three daughters from St. Mary's County. Several years ago, I discovered that my now ex-husband was abusing our oldest daughter. He was indicted on felony child sex abuse charges and is now a Tier III Registered Sex Offender for life. It took seven months in criminal court for my children's father to be convicted. It took four years in family court for me to get a no contact order in place, protecting my children from him. I'm sure this committee is tired of hearing from me, but there are countless protective parents out there, still in the depths of family court, afraid or unable to speak, counting on me to keep showing up.

It's important to understand that the father of my children was already convicted and a registered sex offender BEFORE I ever stepped foot in family court. We were not a routine family court case, and never should have been treated as such. However, for the first two years of my family court case, I was put on regular dockets, with 10-20 other cases, many of which were completely uncontested or simply involved child support enforcement. Whenever we would be called up, the Magistrate would hear a small portion of what our case was, and put us to the back of the line, as his goal was to move as many cases as possible out of his courtroom. Entire days were wasted, not being able to be properly heard, at a cost of \$3,000 per day for ONE attorney.

Not only was the scheduling of my case routinely mishandled, the hearings themselves did not stay focused on the safety of the children. Supervised visitation was granted for my ex-husband, to be conducted on weekends at his mother's house, supervised by her. A year into the visitation, after months of behavioral concerns with one of my daughters, she made disclosures to several members of her mental health team, all of which immediately filed a report with Child Protective Services. Child Protective Services and the police questioned my children, and ultimately came to the conclusion that it was completely a civil issue, as no laws had been broken, and my girls were not disclosing any sexual abuse at the time.

I chose to stop sending my children for their "supervised" visitation, and braced myself against numerous contempt charges and hearings. In my first contempt hearing, the magistrate refused to even discuss my ex's conviction, or his sexual abuse of my oldest daughter. He instead directed me to continue sending my children for their weekend visits at Grandma's house, with a stipulation that their father be told to leave the property at night and he not be allowed to sleep there while the children were present. Again, I couldn't bring myself to send my daughters. My non-compliance escalated my ex-husband's anger. I spent months required to be in daily contact with him, discussing all aspects of our children with him. He followed us, stalked our home, bought electronic devices for my children and harassed them constantly through them. The magistrate at one point even directed me to include my

ex-husband in my daughter's mental health therapy. I was granted an unrestricted conceal carry gun permit by the Maryland State Police at the same time that I was meeting my ex-husband for supervised dinners weekly, and celebrating birthdays together at Chuck E Cheese.

I've spent tens of thousands of dollars on legal fees and lost years of my life fighting against an already proven to be dangerous man just to keep my children safe. And the only reason I am not STILL in active family court is because he is currently incarcerated, accused of molesting multiple children, and having pled guilty to molesting a 10 year old girl. The day he was arrested, I still had an active court order telling me to send my daughters to his mother's house for visitation every other weekend. I just was refusing to do it.

The thing of it is, I really don't think the magistrate handling our case was a bad judge. I watched him guide other divorcing couples towards peaceful agreements. He asked about the health and healing of my oldest daughter every time I was in front of him. He meant well, but he was ill equipped to handle our case. He retired recently, and I would bet that if he had any training on domestic violence or child abuse it was many, many years ago.

Our magistrate used to end every case hearing (for all of the cases in the courtroom) by saying "In this courtroom we don't divorce families, we divorce couples." I think it's beautiful sentiment, and I admire his commitment to maintaining relationships and peace between divorcing couples. But some families need to be divorced, for the safety of the protective parent and the children, and my case never should have been in front of him to begin with. As always, thank you for your time, I appreciate the opportunity.

Annie Kenny

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