



Marjorie Cook Foundation
Domestic Violence Legal Clinic

2201 Argonne Drive • Baltimore, Maryland 21218 • 410-554-8463 • 410-243-3014 (fax)

TESTIMONY IN OPPOSITION TO SENATE BILL 27

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DOROTHY J. LENNIG, LEGAL CLINIC DIRECTOR

The House of Ruth provides shelter, counseling, and legal services to victims of domestic violence throughout the state of Maryland. The House of Ruth Domestic Violence Legal Clinic has offices in Baltimore City, Baltimore County, Prince George's County and Montgomery County. Senate Bill 27 establishes a Restorative Justice Program for defendants and child respondents. **We urge the Senate Judicial Proceedings Committee to report unfavorably on Senate Bill 27.**

While House of Ruth supports the concept of restorative justice, we feel strongly that it must truly be survivor-centered and trauma-informed. On page 6, beginning on line 5, the bill describes that a victim or offender may request participation in the Restorative Justice Program, that a legal specialist shall provide notice to the other, and that participation is voluntary. While this might seem to provide adequate protection to victims of domestic violence, it shows a lack of awareness about the dynamics of intimate partner violence and issues related to power and control. First, it might be incredibly scary for a victim of intimate partner violence to have any communication from their abuser, including through a third party. Second, while the victim's information is supposed to be kept confidential, mistakes often happen and giving the offender any possibility of access to a victim or their location, particularly for victims in the Address Confidentiality Program, could be traumatic, or worse, deadly. Third, many unrepresented victims do not fully understand that the program is voluntary and feel compelled to participate even when they do not want to. We see this repeatedly with victims in custody cases who could opt out of mediation but do not because they do not understand that they have that option. Finally, many victims still have contact with their intimate partners because of custody and access orders, or for various other reasons, and may be subject to pressure, intimidation, and even threats to participate in the restorative justice process.

If the General Assembly is inclined to pass SB 27, we suggest providing more support, protections, and resources to victims. Not all victims of intimate partner violence want acknowledgment, information, or any contact with their offender.

The House of Ruth urges the Senate Judicial Proceedings Committee to report unfavorably on Senate Bill 27.