
BILL NO: House Bill 324
TITLE: Child Abuse and Neglect - Definition of Neglect
COMMITTEE: Judiciary
HEARING DATE: February 9, 2023
POSITION: **SUPPORT**

House Bill 324 would create a presumption that child neglect does not include, on the part of a victim of domestic violence, failing to protect a child from witnessing domestic violence, failing to leave a home or relationship in which domestic violence has occurred, failing to call the police or social services, or failing to file a protective order. The Women's Law Center of Maryland (WLC) supports this bill as this bill would address an unfortunate reality: that victims, instead of the perpetrators of abuse, are often blamed and punished for the impacts of the abuse on their children.

Instead of holding the abuser accountable for their acts of domestic violence, some Child Protective Services (CPS) workers and others in the legal system instead try to force victims to end the relationship, move out of the house, call police or take other legal action to stop the abuse by threatening to remove the children from the victim's care or actually doing so. This approach is misguided at best and can, in some instances, actually increase the danger for the victim and her children, as the time immediately after separation from an abuser is the most dangerous. The Women's Law Center engages in a trauma-informed and victim-focused practice. We understand that a uniform response to being a victim of intimate partner violence that would force victims to act in a certain way or risk having their children removed is not practical or reasonable. HB 324 would make it clear that victim-blaming and removal of children is not an acceptable response to the trauma of being a victim.

HB 324 would hopefully also create uniformity in the counties as not every county engages in these cases in the same manner. It would make clear that punishing victims for being victims is not acceptable.

We understand some opposition to this bill is based on a belief that this does not happen. We had a case in January where this exact scenario occurred in Baltimore City.

Therefore, the Women's Law Center of Maryland, Inc. supports House Bill 324 and urges a favorable report.

The Women's Law Center of Maryland is a private, non-profit, legal services 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, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.