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TESTIMONY IN SUPPORT OF HOUSE BILL 411

February 21, 2023

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The House of Ruth Maryland is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. House of Ruth has offices in Baltimore City, Baltimore County, Prince George’s County, and Montgomery County. House Bill 411 clarifies that a pretrial or post trial order prohibiting the offender from contacting, harassing, or abusing the alleged victim includes incarcerated persons. **We urge the House Judiciary Committee to issue a favorable report on House Bill 411.**

In many domestic violence criminal cases, the offender is ordered not to have contact with, harass, or abuse their victim either before or after the trial. This is an important remedy for domestic violence victims, particularly those who do not also get a civil protective order against their abuser. Unfortunately, some judges have interpreted Criminal Procedure 5-213.1 to require that the offender be actually “released” from jail before the statute can be applied. Under this interpretation, a domestic violence offender who is ordered to have no contact with their victim can call their victim from jail and scare, threaten, or harass them, without concern that doing so will violate the no contact order.

HB 411 closes this loophole and clarifies that the pretrial/post-trial no contact order applies even when the offender is incarcerated. It holds all offenders accountable who violate this no contact order whether they are released or incarcerated.

The House of Ruth urges a favorable report on House Bill 411.