

February 8, 2021

Maryland General Assembly
Legislative Services Building
90 State Circle
Annapolis, MD 21401

Committee Members,

Please accept this written testimony in support of House Bill HB0848/Cross-filed with: SB0657 - Small Claims - Examination in Aid of Enforcement - Prohibition on Arrest or Incarceration for Failure to Appear. I'm writing because I was arrested in November 2020 because of a court case filed by attorneys representing my homeowners association. As you can imagine, it's extremely difficult to publicly share my experience, but I feel compelled to do so to hopefully prevent others from having the same experience.

I am an upstanding US citizen, and have been a Maryland resident since 2004. I am well-educated, even attending the University of Maryland for graduate school. I have spent my career and personal life serving the young people of our state and region. I am a single mother. I have no criminal record. However, I have been in a legal case with my homeowner's association over fines and fees. And on November 11, 2020, without any notification, sheriffs came to my home to arrest me. I was not at home, but my home video cameras captured a team of at least 3 armed officers on my front porch. They left a business card, with only my first name handwritten on it where there was a line for case number. I called the number on the card when I returned. I couldn't imagine why they had come to my house or who they might be looking for. I could only imagine that someone I knew was in trouble. It didn't cross my mind that they had come to my home to arrest me.

Initially the Sheriff's office told me that it must be an error because there was no record of an arrest warrant for me. However, I found a letter from the Sheriff's Department in my mailbox later that morning and when I called again, the officer found the record. He was very direct that I had no choice except to surrender myself. If I didn't turn myself in, he said that sheriffs would come to my home again and I would be immediately arrested if I encountered a police officer while driving. While he was polite, I found myself in tears as I told him that I'm a single mother. He explained to me that my child could be taken into child services' custody if I was arrested. And, he said that I could be held in jail overnight or for the entire weekend depending on when I turned myself in. This was a Wednesday, and he told me the only way to avoid the risk of the weekend in jail would be to turn myself in first thing the next morning (Thursday) at the Montgomery County courthouse.

This conversation was when I learned why I had a warrant. Apparently, I'd missed a court date in September that I didn't know about. I had not received notice from the court or the attorney's office for the HOA. The officer even seemed confused that my impending arrest was tied to HOA fees. But he said I had no other way to clear this arrest warrant other than to surrender to

the Sheriff's Department at the courthouse, be processed, and hope that I was able to be seen by a judge who would allow for my release the same day. I've never been so scared.

Let's be clear that this was last November 2020 in the middle of a coronavirus surge. I asked if I could just go directly to the court, and was told the only way to vacate the warrant was to be processed and have the Sheriff's Department hand me over to the judge.

I followed the Sheriff's instructions and arrived at the courthouse early Thursday morning. It was during coronavirus, so I couldn't go to the Sheriff's office. I gave my driver's license to an officer at the courthouse entrance, and sometime later a female officer came to the lobby with gloves on. In the middle of the lobby, as people came and left the courthouse I was treated like a hardened criminal - patted down, handcuffed, and told to hand over all jewelry and valuables to my sister who accompanied me there. The female officer and a male officer escorted me to a police car parked in the courthouse driveway. Handcuffed, I was put in the back of the police car in front of watching eyes. I was horrified and I couldn't hold back the tears. These officers were polite, but all I could think of was Breona Taylor, George Floyd, Jacob Blake - any misunderstanding at this moment could end my life. I cried and prayed.

I was processed in the basement of the other court building the officers took me to, and taken to a jail cell. They eventually removed the handcuffs once I was in the cell. I don't know how long I was there since my clothes were all I was allowed to keep. I know it wasn't much more than an hour that I waited, but I'd never been arrested, held in a jail, and locked behind bars with my literal freedom taken away. Thank God I was alone in this cell during the pandemic.

Eventually, a different set of officers came to the cell, had me turn around, re-handcuffed me, and escorted me to a courtroom. I wish I could recall the exact words of that moment. I can tell you that I stood there shaking and crying, while handcuffed in front of a judge. I was a shell of the woman I am in that moment. I told her that I'd been served in February for a hearing that was postponed in March due to the pandemic and then again in May. I had not received notice of the rescheduled September hearing date that I was under arrest for missing. I remember trying to express that I'm in education and cannot have a record. The judge seemed apologetic, and promised me that the body attachment would be cleared and a new court date mailed to me. The officers escorted me back to a jail cell where I was unhandcuffed again and waited. He returned to the cell with papers for me to sign, and I was released not long after.

In the courthouse lobby, my sister and I hugged so hard! It was the first time we'd hugged in months since before the pandemic, and I haven't hugged her since. But that hug that day meant everything. It restored me to being human again, and it reaffirmed my freedom.

I feel strongly that I should never have had a body attachment issued for this civil case with my HOA. Most people I spoke with about it were shocked that it happened. You may be shocked that this is legal. Debtor's prisons are illegal in this country, but there I was imprisoned. I was released relatively quickly because I do not have a criminal record, I am a legal US citizen, and I had no other pending legal actions. Imagine how differently this could have gone if any of those

things weren't true. Think about the physical risk I was placed in with the police and the chance that my son could have been placed in child protective services. Given the troubles with the pandemic in detention facilities, what if I'd been exposed to the virus while being arrested and detained?

While I didn't experience physical harm, the experience shook me to my core. I will never forget it, and still can't make sense of it all. I've had dreams about being imprisoned, and know that I will carry this experience into the future. Sadly, it's likely that the current law has caused even more harm to others.

I hope my testimony will serve the public good. And, I hope it helps make your decision easy to prohibit body attachments, arrest or incarceration for civil cases.

Thank you,

A handwritten signature in black ink, appearing to read 'CDA', with a large, sweeping flourish extending to the right.

Cecily Darden Adams