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TESTIMONY IN SUPPORT OF HOUSE BILL 324
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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 324 would create a rebuttable presumption that child neglect does not extend to victims of domestic violence for failure to leave their abusers. **We urge the House Judiciary Committee to issue a favorable report on House Bill 324.**

House Bill 324 would specify that there is a rebuttable presumption that child neglect does not include a failure of a victim of domestic violence to prevent a child from witnessing domestic violence, to leave a home or relationship in which domestic violence has occurred, or to call the police or social services, or file a protective order. This bill would alleviate 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.

House of Ruth staff have worked with numerous clients over the years who have had their children removed because they “failed to protect” the children from the impacts of domestic violence perpetrated by the clients’ abusive partners. Instead of holding the abuser accountable for his acts of domestic violence and either removing him from the home or requiring him to participate in an abuse intervention program, 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.

A House of Ruth employee worked with “Ms. A,” whose children’s father, “Mr. B,” abused her repeatedly and threatened to kill her if she ever called police or tried to leave the relationship. After Mr. B assaulted one of the children, CPS removed the children from Ms. A on the rationale that because Mr. B abused Ms. A, she should have known that eventually he would hurt the child. Ms. A was restricted to having only supervised visits with the children and CPS eventually moved to terminate her parental rights. Ms. A endured almost two years of hearings, continuances and other delays, all while trying to get her children back. Instead of helping Ms. A to be safe and

holding Mr. B accountable for his abusive behavior, the system punished Ms. A for being a victim. HB 324 would curtail this misuse of the system.

The rebuttable presumption established in this bill creates a layer of protection in particularly egregious cases. In situations where CPS is able to overcome the rebuttable presumption, it would be able to establish that the victim did in fact commit child neglect by failing to protect the children from the impacts of domestic violence. This will protect children in cases so horrific that removing the child from the abused parent to be the only way to protect the child.

The House of Ruth urges a favorable report on House Bill 324.