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DEPUTY MINORITY WHIP

Appropriations Committee

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The Maryland House of Delegates

ANNAPOLIS, MARYLAND 21401

SUPPORT FOR HB 1290

PROTECTIVE ORDER – COERCIVE CONTROL

Although this bill has been heard several times in this committee, that does not mean that COERCIVE CONTROL is NOT a serious precursor of more serious power and control TACTICS BY THE ABUSER. I want you to consider that COERCIVE CONTROL is abuse and can literally destroy the spirit and soul of an individual. In fact, one can compare it to emotional, social, and spiritual isolation that puts the victim in a box that gets smaller and smaller as the person becomes a human shell.

Over the years I have seen the House Judiciary Committee deal with some very difficult issues from the death penalty, juvenile justice reform, gay marriage, malpractice reform and the burden of proof for domestic violence. Originally, the burden of proof for domestic violence was clear and convincing evidence. For years the advocates against domestic violence advocated for a lower standard – the civil standard “a preponderance of the evidence” that the abuse was more likely than not.

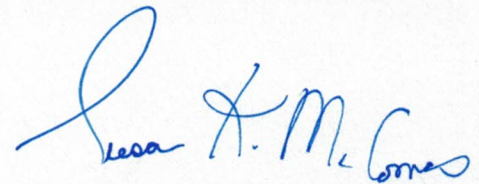
I am advocating that COERCIVE CONTROL is perhaps not as easily identified and might be manipulated by the abuser as opposed to the victim. So I am proposing that for a claim of Coercive Control perhaps the burden of proof should be “clear and convincing evidence” if there are no physical signs of abuse such as bruises, witnesses, brandishing of weapons, destruction of the victim’s property or harm to a pet or child.

Coercive Control takes many forms. There is currently a Massachusetts bill House NO. 1547 which has 55 sponsors and was filed on 1/18/2023. The bill defines coercive control as a pattern of conduct that has the purpose or effect of substantially restricting an individual’s safety or autonomy through intimidation, isolation, implicit or explicit threats or by compelling compliance. Examples of coercive control include:

- (i) Isolation the other parent from friends, relatives, faith, cultural, or linguistic communities, employment, education, or other support networks;
- (ii) Repeatedly humiliating or using degrading language or behaviors towards the petitioner;

- (iii) Controlling, regulating, or monitoring the individual's activities, communications, movements, finances, economic resources, or access to resources;
- (iv) Threatening to harm, abduct or kill the individual or a child or relative of the individual;
- (v) Threatening to publish information or make false reports to the police or the authorities;
- (vi) Damaging property or household goods;
- (vii) Forcing the individual to take part in criminal activity;
- (viii) Committing or threatening to commit cruelty or abuse to animals connected to the family;
- (ix) Using repeated court actions not warranted by existing law or good faith argument to harass, coerce, or control the other party, diminish or exhaust the other party's financial resources, or compromise the other party's employment or housing;
- (x) Cleaning, accessing, displaying, or wearing a firearm in an intimidating or threatening manner; and
- (xi) Threatening deportation or to contact local or federal agencies based on actual or perceived immigration status, refusing to file immigration applications, refusing to sponsor, withholding essential documents needed for immigration applications, or threatening to withdraw immigration applications filed on the other parent's or child's behalf or coercing or forcing the other parent to violate the terms of their immigration visa.

PLEASE SUPPORT HB 1290.

A handwritten signature in blue ink, reading "Lisa H. McCombes". The signature is written in a cursive style with a large initial "L" and "M".