



BILL NO: Senate Bill 567
TITLE: Criminal Procedure – District Court Commissioners
COMMITTEE: Judiciary
HEARING DATE: February 5, 2025
POSITION: **OPPOSE**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judiciary Committee to issue an unfavorable report on SB 567.**

Senate Bill 567 would disallow a commissioner from issuing an arrest warrant for a statement of charges brought by a citizen. Only law enforcement or states attorneys would be allowed to seek an arrest warrant (versus a summons) from a commissioner. Under current law, a citizen is able to go to the commissioner and file a statement of charges. *The commissioner must decide whether to issue an arrest warrant or whether to issue a summons*, not the petitioner. Commissioners are only able to review what is directly in front of them. So if a citizen testifies the other party has a gun, that may trigger an arrest warrant rather than a summons – and why shouldn't it? In our cases, sometimes law enforcement won't even make a report. Asking them to take on all of the serious domestic abuse cases and go to the commissioner themselves is asking for a lot of time from law enforcement. States' Attorneys don't get involved until charges have already been filed. We can't see logistically how they would be involved immediately after the abusive contact. Even now, if law enforcement screens a victim as high lethality, the most they usually do in most counties is inform the victim about the commissioner. Victims should not have to rely upon law enforcement or the State's Attorney's Office to seek an arrest warrant versus a summons. Commissioners must be trusted to do their jobs, or if this is what is necessary perhaps the entire commissioner system needs a revamp.

Survivors currently may also file a statement of charges for a violation of the protective orders, and depending on the facts, it could result in a warrant rather than a summons. This is another necessity for survivors, who cannot rely on law enforcement to file for these violations. It is not feasible for law enforcement to be responsible for filing for all of these charges. Curtailing the ability for a victim to apply for an arrest warrant will remove another important safety tool from victims of domestic violence and will lessen accountability for perpetrators of abuse.

For further information contact Melanie Shapiro • Public Policy Director • 301-852-3930 • mshapiro@mnadv.org

1997 Annapolis Exchange Parkway, Suite 300 • Annapolis, MD 567401
Tel: 301-429-3601 • E-mail: info@mnadv.org • Website: www.mnadv.org



For the above stated reasons, the **Maryland Network Against Domestic Violence** urges an **unfavorable report on SB 567**.

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