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February 28, 2025

Judicial Proceedings Committee
Maryland General Assembly
2 East Miller Senate Office Building
Annapolis, Maryland 21401

Re: Senate Bill 721- Family Law – Permanent Protective Orders – Consent

Dear Chairman Smith, Vice Chair Waldstreicher and members of the committee,

On behalf of the Frederick County State's Attorney's Office and the Maryland State's Attorney's Association, I write in support of Senate Bill: 721 Family Law—Permanent Protective Orders—Consent. I am an Assistant State's Attorney in the Special Victim's Unit of the Frederick County State's Attorney's Office, and I have worked with hundreds of victims in my 18-year career. In my current position, I work primarily with children and adults who are victims of sexual and physical abuse. Without fail, the question I am asked by victims and parents alike is, "how can I ensure that I am safe and my children are safe?" In practice, the current version of the permanent protective order is very limited in its ability to provide the security and peace of mind they so desperately seek.

A permanent protective order cannot be granted pursuant to Md. Annotated Code, Family Law § 4-506, unless prosecutors obtain a conviction and a term of imprisonment of at least 5 years. Additionally, the statute mandates that a permanent protective order cannot be granted until after the Defendant has served 1 year of that sentence. Victims with protective orders must wait to file for this relief long after the resolution of the criminal case, and then, when then when they do file, many are denied relief due to the expiration of their original protective order.

As prosecutors, we must balance the victim's safety and the trauma of testifying in these cases with the ability to resolve the matter in a fair and just way. Allowing defendants the option to consent to a permanent protective order promotes victim safety and resolution of cases. Defendants and victims alike would benefit from the ability to allow for consent to permanent

CIRCUIT COURT DIVISION
301-600-1523

DISTRICT COURT DIVISION
301-600-2573

CHILD SUPPORT DIVISION
301-600-1538

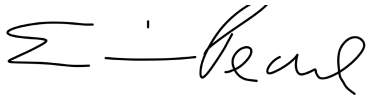
JUVENILE DIVISION
301-600-2980

protective orders. Victims will receive the security and protection of the Court, and defendants may avoid the risk of trial or a lengthier sentence in exchange for their consent to this order.

Recently, I had the opportunity to work alongside Margaret Teahan, a partner in the law firm of Ethridge, Quinn, Kemp, Rowan & Hartinger in the resolution of the case of the *State of Maryland v. Brandon Trask*. Over the years, Ms. Teahan and I have worked across the table from one another in my role as a prosecutor and hers as a defense attorney. However, in this case, Ms. Teahan represented the victim. Ms. Trask was a victim of sexual assault and domestic violence case at the hands of her husband. Ms. Trask, like so many of my victims, sought assurances that she would be protected by the justice system after the Defendant's inevitable release from incarceration and expiration of probation. The Defendant agreed to consent to a permanent protective order as part of the plea agreement in this case. Despite this agreement, Ms. Trask may still not receive a permanent protective order, due to the sentence structure in this case and the limitations on relief set forth by the current statute. On behalf of her client, Ms. Teahan championed bringing the issue of consent to permanent protective orders to the Frederick County State's Attorney's Office, and we stand firmly beside her in support of this legislation.

We would urge the committee to give SB 721 a favorable report.

Sincerely,

A handwritten signature in black ink, appearing to read "Erin Pearl". The signature is written in a cursive style with a large initial "E" and a long horizontal stroke.

Erin Pearl

Assistant State's Attorney, Special Victim's Unit, Frederick County State's Attorney's Office
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