



BILL NO: Senate Bill 273
TITLE: Peace and Protective Orders – Military Protection Orders
COMMITTEE: Judicial Proceedings
HEARING DATE: January 28, 2025
POSITION: **SUPPORT**

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 Judicial Proceedings Committee to issue a favorable report on SB 273.**

Senate Bill 273 allows a judge to consider whether a military protection order has been issued against a respondent for the same or similar conduct when determining whether to grant a temporary peace or protective order. It further requires an officer who believes that an individual they have taken into custody is a service member in violation of a military protective order (MPO) to notify the law enforcement agency that entered the MPO into the Federal Bureau of Investigation’s National Crime Information Database that the service member may be in violation of the MPO.

Domestic violence victims often use protection orders as a means of moving towards safety. Studies have found that protective orders can reduce violence against victims, sometimes up to an 80 percent reduction in violence reported to police.¹ Additionally, victims report greater feelings of safety and psychological well-being after receiving a protective order.² In 2023, the Maryland Circuit Court granted 5,725 temporary protective orders and 2,024 final protective orders, while the Maryland District Court granted 14,372 interim, 19,533 temporary, and 8,535 final protective orders.³ The sheer volume of orders granted illustrates the need for this civil relief for victims of domestic violence.

Over 29,000 citizens serve as active duty in Maryland, with nearly 18,000 more serving in reserve components, and these numbers do not account for service members who may work in other states and live in Maryland.⁴ Victims who are military affiliated may seek an MPO if an

¹ Domestic Violence Research, “Facts and Statistics on Domestic Violence at a Glance,” available at <https://domesticviolenceresearch.org/domestic-violence-facts-and-statistics-at-a-glance/>

² Ibid.

³ Maryland Judiciary Research and Analysis, “2023 Maryland Judiciary Statistical Abstract,” p. 29, 42, October 2024.

⁴ Defense Manpower Data Center, “Military and Civilian Personnel by Service/Agency by State/Country,” June 2024.

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offense happens on a base or installation. However, MPOs are not enforceable by civilian authorities.⁵ Therefore, it is extremely important that victims with an MPO also seek a civilian protection order in Maryland. Judges should be able to consider and weigh all relevant evidence when determining whether to grant a temporary, interim, or final protective order, and evidence of a pre-existing order is germane to the judge's ability to make a fully informed decision. Additionally, it is important that Maryland law enforcement communicate with military law enforcement responsible for the MPO so that both agencies have access to the most up-to-date information possible to enforce the protective orders and keep victims safe.

It is also important for both judges and civilian law enforcement alike to recognize that MPOs do not prohibit a service member from passing a federal firearms background check and purchasing a firearm despite the existence of the MPO.⁶ Maryland law provides for the removal of firearms and prohibits the respondent from obtaining them for the duration of the protective order.⁷ When a Maryland judge issues this provision, and a Maryland law enforcement agency notifies the corresponding military agency, the military may then enforce the civilian order on the military installation.⁸

MNADV believes that this bill would provide greater safety for Maryland's domestic violence victims by allowing judges to consider all appropriate evidence when issuing a protective order and by creating improved communication between civilian and military law enforcement agencies. When everyone is equally informed, victim safety is improved.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report on SB 273.**

⁵ Department of Defense Instruction 6400.06, 3.5 COMMANDERS d. MPO (2) (c) 1, issued 15 December 2021; updated last 11 July 2024.

⁶ Ibid.

⁷ Md. Code Ann., Fam. Law § 4-506(f).

⁸ 10 USC §1561a. Civilian orders of protection: force and effect on military installations, available at: <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title10-section1561a&num=0&edition=prelim>, updated 27 January 2024.