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February 26, 2025

TO: The Honorable Will Smith, Jr.
Chair, Judicial Proceedings Committee

FROM: Adam Spangler
Legislative Aide, Legislative Affairs, Office of the Attorney General

RE: Senate Bill 739 - Domestic Violence - Warrantless Arrests and Victims –
Support

The Office of the Attorney General (OAG) urges the Judicial Proceedings Committee to report favorably on **Senate Bill 739** – Domestic Violence – Warrantless Arrests and Victims, which aims to enhance the legal framework surrounding domestic violence in Maryland. This bill is an important step toward protecting victims and ensuring that those who commit acts of violence are held accountable, regardless of their relationship with the victim.

Senate Bill 739 amends § 2-204 of the Criminal Procedure Article so that police officers can make warrantless arrests when they have probable cause to believe that a person has battered another individual with whom they have had a sexual relationship within the past year. This change in statute is crucial to saving potential victims as it allows law enforcement to respond promptly to situations where immediate action is necessary to prevent further harm.

Moreover, **Senate Bill 739** amends § 4-513 of the Family Law Article by expanding the definition of "victim of domestic violence" to include individuals who have been injured by someone with whom they have had a sexual relationship in the past year. This change acknowledges the varied dynamics of intimate relationships and ensures that more victims can seek the protection and support they need.

This bill letter is a statement of the Office of Attorney General's policy position on the referenced pending legislation.

For a legal or constitutional analysis of the bill, Members of the House and Senate should consult with the Counsel to the General Assembly, Sandy Brantley. She can be reached at 410-946-5600 or sbrantley@oag.state.md.us.

As we strive to create a safer environment for all Maryland residents, it is vital that our laws reflect the realities of domestic violence and provide adequate measures for intervention. **Senate Bill 739** represents a significant advancement in safeguarding the rights and well-being of victims.

The OAG urges the Committee to report **Senate Bill 739** favorably and help us move toward a more just and protective legal framework for those affected by domestic violence.

cc: The Honorable Senator William Folden
Members of the Senate Judicial Proceedings Committee