



Working to end sexual violence in Maryland

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Testimony Opposing Senate Bill 567
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The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge an unfavorable report on Senate Bill 567.

Senate Bill 567 – Commissioners

Senate Bill 567 would discontinue the current ability of a commissioner to issue an arrest warrant for a statement of charges brought by non-law enforcement. Instead, only law enforcement or state's attorneys would be allowed to seek an arrest warrant (versus a summons) from a commissioner. Under current law, an individual is able to go to the commissioner and file a statement of charges. *The commissioner then 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 4th degree sex offense cases and even some felony sexual assault cases, sometimes law enforcement won't even make a report. States' Attorneys are typically not involved until later in the process and these offices are not staffed to provide the 24/7 coverage commissioners have. 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.

We fully appreciate that the current commissioner system needs reform, however, curtailing the ability for a victim to apply for an arrest warrant will remove another important safety tool from victims of abuse.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to report unfavorably on Senate Bill 567**