
BILL NO:	Senate Bill 0744
TITLE:	Criminal Procedure – Interference of Custody Orders - Penalties
COMMITTEE:	Judicial Proceedings
HEARING DATE:	March 03, 2026
POSITION:	OPPOSE

The Women's Law Center of Maryland is a nonprofit legal organization dedicated to protecting the physical safety, economic security, and civil rights of women and their families across Maryland. Through direct legal services, policy advocacy, and education, we work to remove systemic barriers that prevent survivors and vulnerable families from accessing justice and stability.

The Women's Law Center of Maryland respectfully opposes SB744.

SB744 would create criminal penalties for custodial interference, effectively criminalizing complex family disputes that are more appropriately addressed in family court. Custody matters are rarely straightforward. They often involve nuanced family dynamics, safety concerns, and evolving circumstances that require careful judicial evaluation—not law enforcement intervention.

This bill sets a troubling precedent by expanding criminal liability into private family matters that are better resolved through court-ordered mediation and judicial oversight. Family court judges are uniquely positioned to assess the best interests of the child, evaluate credibility, and consider the full context of each family's situation. Introducing criminal penalties risks escalating conflict and may ultimately harm children rather than protect them.

There are many legitimate reasons why a parent may not comply with a custody order in a particular instance. Safety concerns may arise unexpectedly. A parent may reasonably believe a child is at risk of abuse or neglect. Medical emergencies, weather-related issues, or other unforeseen circumstances may prevent compliance. SB744 does not adequately account for these realities.

Additionally, allegations of custodial interference can be misused. In high-conflict custody disputes, one parent may falsely accuse the other for vindictive or strategic purposes. Criminalizing these disputes risks weaponizing the legal system and placing survivors—particularly those fleeing abuse—at further risk.

For these reasons, the Women's Law Center of Maryland respectfully urges the Committee to issue an unfavorable report on SB744.