

SB0744

Position: FAV

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Written Testimony in Support of SB 0744 (Three Strikes Custody Interference)

Good afternoon, Chair, Vice Chair, and members of the Committee. Thank you for your time and consideration.

My name is Brian Fitzgerald. I am a father, and like everyone in this chamber, I am also someone's child.

SB 0744 addresses a narrow and defined issue: repeated, knowing, and willful interference with a valid custody order issued by a Maryland court with proper jurisdiction.

This legislation does not apply to emergency protective actions. It does not override judicial discretion. It does not criminalize isolated mistakes or scheduling misunderstandings.

It applies only after a court has exercised jurisdiction, evaluated the circumstances, and issued a lawful custody determination.

The bill establishes a graduated enforcement framework.

A documented written warning for a first violation.

Modest civil fines for subsequent violations.

And only after multiple, willful violations does the conduct rise to misdemeanor consequences.

That progression is intentional. It ensures proportionality and preserves due process.

The purpose is not punishment. The purpose is consistency.

When repeated violations occur without structured enforcement, the authority of the court is diminished and instability for the child increases.

This legislation creates documentation so repeat violations are recognized as repeat violations. It provides clarity so expectations are predictable. It reinforces that custody determinations issued by Maryland courts must carry meaningful weight.

SB 0744 is limited in scope, proportional in response, and focused solely on repeated, intentional noncompliance.

I respectfully request your favorable consideration to ensure that custody orders remain enforceable, consistent, and protective of children.

Thank you.