



Working to end sexual violence in Maryland

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Testimony Supporting House Bill 83 with Amendments
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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 which provides direct legal services for survivors across the State of Maryland. We urge the Judiciary Committee to report favorably on House Bill 83 with Amendments.

House Bill 83 provides guidance to the courts and law enforcement on how to hold protection order respondents accountable for surrendering their firearms when required by court order. Protection orders are the first line of defense for survivors of intimate partner violence, including intimate partners who have been sexually assaulted. Many survivors of non-intimate partner sexual violence are also persons eligible for relief under the protective order statute.

There are three major components to HB 83. First, the protection order statute (Fam.Law §4-501 et seq.) already requires the mandatory surrender of firearms upon the grant of a final protection order. HB 83 would expand that to a mandatory surrender of firearms at the temporary protection order phase.

Second, House Bill 83 creates a list of questions on the petition for protection from abuse. Our sister coalition, the Maryland Network Against Domestic Violence, suggests some amendments and MCASA completely concurs with the need for some refinements. We remain concerned that requiring petitioners to answer extensive questions prior to a hearing may be intimidating to some survivors and respectfully suggest that this inquiry be made after an order is issued when the courts are determining where the respondent may be served.

The third component of HB 83 creates accountability for the respondent to comply with a court order to surrender their guns. The efforts to hold respondents accountable currently vary across jurisdictions. The proposed accountability provisions will help ensure that petitioners everywhere in the State have the safety that protection orders provide.

**The Maryland Coalition Against Sexual Assault urges the
Judiciary Committee to
report favorably on House Bill 83 with Amendments**