



BILL NO: House Bill 1586
TITLE: Protective Orders – Coercive Control
COMMITTEE: Judiciary
HEARING DATE: March 13, 2026
POSITION: UNFAVORABLE

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that works to lead diverse community partners toward the common purpose of reducing the occurrence and impact of intimate partner violence. **MNADV urges the House Judiciary Committee to issue an unfavorable report on HB 1586.**

It is undeniable that coercive control is a horrible form of domestic violence commonly experienced by survivors. While this bill appears helpful in theory, there are real concerns about what it will do in practice. The codification of coercive control introduces concerns about implementation, potential unintended consequences, and harm to survivors. In addition, advocates generally agree that including coercive control in protective order statutes would not meaningfully improve the courts’ ability to recognize and respond to survivors’ experiences of abuse¹

Protective orders are an extreme measure intended for dangerous situations where there is a serious risk of physical violence. The language in HB 1586 is over-inclusive in identifying the pool of people eligible for a protective order. This bill could be interpreted to encompass some conflicts between couples that otherwise do not rise to the level of domestic violence and others that are eligible already for protective orders pursuant to a threat of force if it places the victim in fear of imminent serious bodily harm. The Battered Women’s Justice Project, Coercive Control Codification: A Brief Guide for Advocates and Coalitions (2021) states:

The challenge of codifying coercive control is in describing a wide variety of coercive and controlling behaviors while—at the same time—excluding from codification conflict between couples which does not rise to intimate partner violence. Crucially, any

¹ https://www.courts.wa.gov/subsite/gjc/documents/1320_Report_to_legislature_12.1.21.pdf (this 2021 report, at 321 pages long, led to Washington State adding coercive control to its statute in 2022, after a full review and overhaul of this laws). It is comprehensive in its approach to their overhaul, rather than piecemeal.

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statutory language must be crafted so that it is not overbroad, thereby harming the individuals the language is intended to protect and aid².

Codifying coercive control would also provide more opportunities for the legal system to penalize victims. There is an increasing number of abusers who manipulate the legal system by seeking protective orders against survivors, claiming that the abuser is actually the victim³. This further controls, isolates, and victimizes survivors. By including coercive control in the definition of abuse in the protective order statute, HB 1586 would make it even easier for the protective order system to be weaponized against survivors.

The broad language in HB 1586 makes a finding of coercive control extremely context dependent. Coercive control can be very difficult to articulate and prove, often requiring a breadth of evidence and complexity of analysis that the current system is not well equipped to provide. This means *protective orders might only be granted in the most extreme cases, which has the effect of normalizing lower levels of abuse and minimizing survivors' experiences of coercive control*⁴.

Should this body decide it wants to move this issue forward, we suggest that instead of placing coercive control in the statute's definition of abuse, it instead add a section that instructs the courts to consider coercive control in all cases when determining whether to grant the PO or not. This would help educate the bench on how pervasive coercive control is in intimate partner violence cases, and would allow petitioners to place an action by a respondent in the context of what they are truly experiencing. In this way, the statute would not be diluted to negative effect. Better yet, perhaps it is time for a broad overhaul of our protection and peace order laws, such as happened in Washington State.

² Battered Women's Justice Project, *Coercive Control Codification: A Brief Guide for Advocates and Coalitions* (2021)

³ *Id.*, also pointing out that victims in marginalized communities are more likely to suffer the negative consequences of adding coercive control to the definition of abuse.

⁴ <https://www.bwjp.org/assets/documents/pdfs/cc-codificationbrief.pdf>



While on paper, coercive control laws might appear to fix some of the issues in our current system, in effect they will likely only widen them, harming survivors in the process. Without broader reform of the legal system and greater recognition and understanding of the power and control dynamics of domestic violence, the codification of coercive control will cause more harm than good.

For the above stated reasons, the Maryland Network Against Domestic Violence **urges an unfavorable report on HB 1586.**