

Maryland Jewish Advocacy

DAY & RECEPTION 2018



What is Senate Bill 121/ House Bill 328 (SB121/HB328) – Family Law – Domestic Violence – Definition of Abuse

SB121/HB328, sponsored by Senator Bobby Zirkin and Delegate Kathleen Dumais, would expand the definition of “abuse” as it applies to petitions for domestic violence protective orders to include “misuse of telephone facilities and equipment,” “misuse of electronic communication or interactive computer service,” “revenge porn,” and “visual surveillance.” This bill simply aligns the domestic violence protective order definition of abuse with the peace order definition. While current law allows victims of other types of non-physical abuse to receive this relief, it does not allow victims of domestic violence to receive relief against abusers who use modern technology as a means for their abuse.

Why is SB121/HB328 Good for Maryland?

In 2015 there were over 15,000 domestic violence crimes in Maryland alone. Due to their relationships with the victims, these perpetrators often have increased means to abuse their targets. However, abuse is not always physical. For example, abusers may use intimate photos or videos of their victims for blackmail or manipulation, access to cellphone GPS data to stalk and surveil, or knowledge of cell phone numbers and e-mail addresses to create a constant stream of abuse. As technology advances, so do perpetrators’ tactics, making it more difficult for victims to seek reprieve from such daily and even hourly abuse. To increase the availability of protections available for domestic violence victims of non-physical abuse, the state should alter its protective order definition of abuse to include technology-facilitated abuse.

How Does SB121/HB328 Impact the Jewish Community?

The Baltimore Jewish Council represents The Associated Jewish Community Federation of Baltimore and its local agencies. One of these agencies is CHANA, a non-profit organization that provides crisis intervention, legal services, and counseling to community members of all ages facing domestic, sexual, or financial abuse. CHANA has reported that several of its clients are being abused by their current and former spouses, who hack their emails, track their whereabouts with GPS devices and harass them with threatening emails and texts. Some of these clients even fear losing their jobs because of misuse of their work phone number or e-mail by current or former spouses. Although these behaviors are extremely detrimental to the emotional, psychological and even financial wellbeing of the victims, they cannot seek reprieve through a protective order under current state law. SB121/HB328 would expand the legal definition of abuse to allow these victims the relief they need to live their lives in safety.

What Can Be Done?

Tell your legislator that you support *SB121/HB328 – Family Law – Domestic Violence – Definition of Abuse*.