



**Maryland Network
Against Domestic Violence**
WORKING TOGETHER FOR A SAFER FUTURE

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Contact: Michael Cohen, Executive Director

Email: mcohen@mnadv.org

Phone: 301-429-3601

**NEW MARYLAND STALKING AND DOMESTIC VIOLENCE LAWS EFFECTIVE OCTOBER 1
New Legislation to Help Domestic Violence, Stalking, and Sexual Assault
Victims/Survivors Takes Effect in Maryland on October 1, 2016**

Important legislation to help domestic violence and sexual assault victims/survivors, passed by the Maryland General Assembly in 2016, will take effect in Maryland on Saturday, October 1, 2016. The legislation redefines the crime of stalking and expands the list of harassing and stalking behaviors covered by Peace Orders.

The 2016 legislation redefines the definition of the crime of stalking, which will enable stalking behaviors to be more successfully prosecuted. Currently, stalking is defined as a “malicious course of conduct that includes approaching or pursuing another where the person intends to place or knows or reasonably should have known the conduct would place another in reasonable fear of: serious bodily injury; an assault in any degree; rape or sexual offense or attempted rape or sexual offense; false imprisonment; or death.” The new law, ***Criminal Law - Stalking*** (HB 155/SB 278), adds new language that the person charged with stalking “intends to cause or knows or reasonably should have known that the conduct would *cause serious emotional distress to another.*” The primary sponsors of the legislation were Delegate Kathleen Dumais and Senator Susan Lee.

A Special Report issued by the U.S. Department of Justice’s Bureau of Justice Statistics identified seven stalking behaviors that would cause a reasonable person to feel fear (original report-January 2009; revised-September 2012). These behaviors include: 1) making unwanted phone calls; 2) sending unsolicited or unwanted letters, e-mails, messages or texts; 3) following or spying on the victim; 4) showing up at places without a legitimate reason; 5) waiting at places for the victim; 6) leaving unwanted items, presents, or flowers; 7) posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.

Peace Orders – Grounds for Relief (HB 314/SB 346) expands the list of harassing and stalking behaviors for which a petitioner is available for relief under the Peace Order law. The following new offenses were added: *misuse of telephone facilities and equipment; misuse of electronic communication or interactive computer service; revenge porn; and visual surveillance.* The primary sponsors of the legislation were Delegate Vanessa Atterbeary and Senator Victor Ramirez.

“Stalking and harassment are extremely traumatic for domestic violence and sexual assault victims/survivors and cause serious and on-going emotional distress to them. These behaviors can include not only following them but using the telephone, internet, social media, and other electronic means to harass and frighten them,” stated Michaele Cohen, Executive Director of the Maryland Network Against Domestic Violence.

Victims/survivors who are the targets of these behaviors are encouraged to contact a local domestic violence or sexual assault program in their jurisdiction to obtain help with safety planning and to learn about civil and criminal legal options. Victims/survivors can obtain information and referrals to local domestic violence programs and other service providers by calling the MNADV’s statewide Helpline, 1-800-MD-HELPS (1-800-634-3577), Monday through Friday from 9:00 am to 5:00 pm, or accessing the MNADV website at www.mnadv.org under “Get Help.”

Information about domestic violence legal protections and safety planning is also available in a new brochure from the MNADV, *“Strategies for A Safer Future: A Guide to Obtaining Protective and Peace Orders in Maryland.”* The brochure is available on the MNADV website at www.mnadv.org or by contacting the Maryland Network Against Domestic Violence at 301-429-3601 or info@mnadv.org.

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. The Network accomplishes this goal by providing education, training, resources, and advocacy to advance victim safety and abuser accountability.

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