

CHAPTER 10

(House Bill 140)

AN ACT concerning

Domestic Violence

FOR the purpose of altering the circumstances under which a police officer may arrest certain persons without a warrant; ~~requiring a police officer who has probable cause to believe that mutual abuse has occurred and who makes a warrantless arrest to arrest the person the officer believes to be the primary physical aggressor;~~ setting forth ~~certain factors~~ a certain factor an officer is required to consider in determining whether a person is a primary physical aggressor when considering whether arrest is necessary under certain circumstances; ~~requiring a law enforcement officer responding to a report of an incident of domestic violence to interview the victim and prepare a complete offense report;~~ authorizing certain civilian employees to prepare certain offense reports under certain circumstances; ~~requiring law enforcement agencies to make and maintain certain records relating to domestic violence; requiring the record to be made identifiable by a certain code and reported to the Department of State Police;~~ requiring the Department of State Police to receive, accept, and incorporate civil protective orders in the Maryland Interagency Law Enforcement System; requiring the Department of State Police to cooperate with certain persons for certain purposes; authorizing judges and law enforcement agencies and officers to access the system for a certain purpose certain purposes; establishing certain responsibilities of the clerks of the courts and local law enforcement agencies; ~~specifying that a confidential communication between spouses during their marriage may be disclosed if the confidential communication occurs during the commission of a crime or pertains to a crime committed by one spouse against the other;~~ altering the circumstances under which the spouse of a person on trial for a crime may be compelled to testify; prohibiting a petitioner in a proceeding to seek relief from abuse from being required to pay certain filing fees or costs; prohibiting a court from granting a mutual protective order under certain circumstances; altering ~~certain penalties~~ a certain penalty for violation of certain provisions of ~~a protective order~~ certain civil protection orders; requiring an officer to arrest certain persons if there is probable cause to believe a person is in violation of certain court orders; ~~requiring one half of certain fines to be paid to the Comptroller of the Treasury and deposited in a certain fund;~~ establishing the Victims of Domestic Violence Fund; specifying the purpose of the Fund; providing for the administration, investment, and auditing of the Fund; providing for expenditures and disbursement from the Fund; requiring the Department of Human Resources to make grants from the Fund; defining certain terms a certain term; and generally relating to domestic violence.

BY repealing and reenacting, with amendments,
Article 27 - Crimes and Punishments
Section 594B(d)
Annotated Code of Maryland