

LEGISLATIVE PROPOSALS PRESENTATION SCHEDULE

Group 1 – Moderator: Michelle Siri

Group	Bill Title	Presenter
1	Reproductive Health Protection Act	Delegate Nicole Williams & Delegate Terri Hill
	Declaration of Rights - Right to Reproductive Liberty	Robyn Elliott
	Access to Reproductive Healthcare at Public Institutes of Higher Education	Jakeya Johnson
	End-of-Life Option Act	Jaspreet Chowdhary
	Climate Crisis and Environmental Justice Act (CCEJ)	Wandra Ashley-Williams

Group 2 – Moderator: Shruti Bhatnagar

Group	Bill Title	Presenter
2	Repeal of Marriage as a Defense to Sex Crimes - Love is No Defense	Lisae Jordan
	Criminal Injuries Compensation Board – Victim Compensation Reform	Melanie Shapiro
	The Maryland State Police Gun Center - Protective Orders	Melanie Shapiro
	Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)	Myles Hicks
	Wage pass-through for Quality Care and Good Jobs	Loraine Arikat

Group 3 – Moderator: Angela McDaniel

Group	Bill Title	Presenter
3	Child Care Sustainability Act	Laura Weeldreyer
	Safe Harbor for Sexually Exploited Youth	Melanie Shapiro
	Primary Caretakers Bill	Ava Levin
	Prevention of Forced Infant Separation Act	Ava Levin
	Child Abuse and Neglect - Definition of Neglect	Natasha Khalfani



Reproductive Health Protection Act

Bill Number: TBD

One Sentence Synopsis: This legislation will create protections in our laws for pregnant individuals seeking abortion care, as well as those providing support to pregnant individuals (including health care providers, support organizations, and volunteers), from civil, criminal, and administrative liability.

Committees: Senate Judicial Proceedings, Senate Finance, House Judiciary, House Health and Government Operations

Lead Sponsors: Senator Will Smith, Delegates Nicole Williams, and Delegate Terri Hill

Lead Group: Women's Law Center of Maryland

Lead Group Contact: Michelle Siri, Executive Director

Describe the problem:

In the wake of the Supreme Court's decision in *Dobbs v. Jackson Women's Health* in overturning *Roe v. Wade*, it is anticipated that nearly half the states will outlaw or severely restrict the right to abortion care. As of October 14, 2022, fourteen states have banned nearly all abortion care, and some of those states have enacted laws that create liability for anyone assisting their residents obtain abortion care even in states where abortion remains legal. These laws are designed to intimidate people seeking abortion care, as well as volunteers and health care providers supporting out-of-state patients. The Reproductive Health Protection Act will counteract these extreme efforts by ensuring patients, providers, and support networks cannot be subject to criminal, civil, or administrative penalties within Maryland for supporting the provision of abortion care.

Describe your proposed legislation:

This shielding bill will protect individuals seeking abortion care in Maryland from criminal, civil, and administrative liability from their home states. It will also support continued access to care for Maryland residents by ensuring health care providers and supportive organizations can continue to operate without legal threats from other states.

Benefit to Communities of Color:

Yes. Communities of color are particularly impacted by limitations on abortion access. As we know, significant racial and ethnic disparities persist for a wide range of health outcomes, from diabetes to heart disease to breast and cervical cancer to sexually transmitted infections (STI), including HIV. This is also true for unintended pregnancies. Unnecessary barriers to abortion care increase costs and wait times, further exacerbating existing health disparities and economic injustices. The criminal justice system has been disproportionately abused to negatively impact People of Color and empowering citizenry in states to target anyone who has received or is suspected of receiving or providing abortion care increases the very real risks to those communities.



Declaration of Rights - Right to Reproductive Liberty

Bill Number: TBD

One Sentence Synopsis: This legislation will lead to a ballot measure to create a constitutional amendment to protect the rights of individuals to make their own reproductive health decisions in Maryland.

Committees: Senate Finance, House Health and Government Operations

Lead Sponsors: House Speaker Adrienne Jones

Lead Group: Planned Parenthood of Maryland

Lead Group Contact: Robyn Elliott

Describe the problem:

In the months following the U.S. Supreme Court's decision in *Dobbs v. Jackson Women's Health*, which overturned the seminal case *Roe v. Wade* after nearly 50 years, we have already seen 14 states ban almost all abortion care, with another 9 poised to enact restrictions so severe as to essentially prohibit any abortions in those states. Many in Maryland think of our state as a "safe state" and that we are immune from the impact of the *Dobbs* decision. It is true that we are safer than states like Texas which have enacted a near total abortion ban or our neighboring state of West Virginia which has banned abortions at all stages of pregnancy. But the truth is that our statutory protections only create a legal buffer against the erosion of our rights in Maryland.

Marylanders' reproductive freedom has historically been protected by a layering of Maryland law, Maryland's constitution, federal law, and the U.S. Constitution. Unfortunately, the Supreme Court no longer recognizes that the fundamental right to privacy protects our ability to make our own reproductive health provisions, leaving the decision to regulate abortion up to individual states without the additional constitutional protection. This means Maryland's statutory right to abortion is vulnerable, as well as other rights related to privacy that we take for granted here. Campaigns in other states to erode abortion rights have lasted decades, with incremental changes gained slowly over long periods of time. *Dobbs* was not overturned overnight but was part of a decades-long operation to overturn *Roe v. Wade*. While we are confident in our legislature's ability to maintain our right to reproductive freedom it would be foolish to believe that ability will last indefinitely.

Furthermore, the right to privacy was recognized not just in the landmark case of *Roe v. Wade*. It has also been the underpinning of cases like *Griswold v Connecticut* in which the Court found in 1965 that married couples had a fundamental right to privacy to make their own birth control decisions. And in 1972, the Court reaffirmed the right to privacy to make birth control decisions and extended those rights to unmarried couples through the Court's findings in *Eisenstadt v. Baird*. Due to the Court's decision in *Dobbs*, we are witnessing the most rapid unraveling of civil rights in our lifetime. And it's not

just abortion at stake. Even our rights to make birth control decisions may be at risk because so many prior U.S. Court decisions depend on the legal underpinning of the right to privacy. Indeed, Justice Clarence Thomas, in his concurrence in the Dobbs case stated “in future cases, we should reconsider all of this Court’s substantive due process precedents, including Griswold, Lawrence, and Obergefell. Because any substantive due process decision is ‘demonstrably erroneous.’” Thus, Dobbs could be just the first case in a long list of cases designed to constrict our

reproductive freedoms and civil liberties.

Describe your proposed legislation:

This legislation would enable a ballot measure to constitutionally enshrine the rights of Marylanders to reproductive freedom. Specifically, the bill recognizes that a central component of an individual’s rights to liberty and equality includes the fundamental right to reproductive liberty. This includes the right to make decisions and choices regarding their own reproduction, including decisions related to preventing, continuing, or terminating a pregnancy. Significantly, the bill also states that those rights may only be abridge if “justified by a compelling state interest achieved by the least restrictive means.” A constitutional amendment is the strongest protection we could provide to ensure future generations of Marylanders have meaningful access to the full range of reproduction health care, from birth control to infertility treatments, to abortion. And by including a strict scrutiny standard, i.e., by explicitly requiring that the “state may not, directly or indirectly, deny, burden, or abridge the right unless justified by a compelling state interest achieved by the least restrictive means,” we would ensure that the right to reproductive liberty is unequivocal.

Benefit to Communities of Color:

Yes. Communities of color are particularly impacted by limitations on abortion access. As we know, significant racial and ethnic disparities persist for a wide range of health outcomes, from diabetes to heart disease to breast and cervical cancer to sexually transmitted infections (STI), including HIV. This is also true for unintended pregnancies. Unnecessary barriers to abortion care increase costs and wait times, further exacerbating existing health disparities and economic injustices. The criminal justice system has been disproportionately abused to negatively impact People of Color and empowering citizenry in states to target anyone who has received or is suspected of receiving or providing abortion care increases the very real risks to those communities.



Access to Reproductive Healthcare at Public Institutes of Higher Education

Bill Number: TBD

One Sentence Synopsis: Requires public institutions of higher education to develop policies that guarantee students access to emergency contraception and medicated abortion.

Committees: TBD

Lead Sponsors: Delegate Ariana Kelly

Lead Group: Maryland NOW

Lead Group Contact: Jakeya Johnson- Legislative Task Force Chair

Describe the problem:

Many college campuses have little to no access to essential reproductive healthcare resources. In cases of sexual assault, unprotected or coerced sex, and failed birth control, on campus access to emergency contraception and medicated abortion is an important way for students to maintain bodily autonomy and prevent unwanted pregnancy in a timely and private manner. Access off campus presents barriers such as limited health center pharmacy hours, transportation challenges, high pharmacy costs, pharmacies not stocking EC on the shelf, enforcing outdated age restrictions, or refusing to sell EC outright.

Describe your proposed legislation:

Public Colleges and universities will be required to develop and implement a plan to offer on site access to emergency contraception, contraceptive counseling and medicated abortion. By improving access to reproductive healthcare on campus, women will be better suited to achieve their personal, professional and educational goals without the threat of unplanned pregnancy.

Benefit to Communities of Color:

Yes. Statistically women of color have lesser access to healthcare resources and are more likely to not finish college due to unplanned pregnancy. Providing reproductive healthcare resources to these women is an incredibly important step in addressing the multifaceted injustices in both poverty and healthcare.



End-of-Life Option Act

Bill Number: TBD

One Sentence Synopsis: The bill would authorize medical aid in dying, which is a widely supported and time-tested medical practice that allows a terminally ill, mentally capable adult with a prognosis of six months or less to live, to request a prescription from their doctor for medication they can decide to self-ingest to die peacefully in their sleep.

Committees: TBD

Lead Sponsors: Senator Jeff Waldstreicher, Delegate Joseline Peña-Melnyk

Lead Group: Compassion & Choices

Lead Group Contact: Donna Smith, Maryland State Director

Describe the problem:

When faced with terminal diagnoses, Maryland residents deserve the full range of options for care at the end of life, including medical aid in dying. This bill affirms life and accepts the inevitability of death, increases access to the full range of end of life options, and empowers everyone to choose the end-of-life care that reflects their values, priorities, and beliefs.

As the COVID-19 pandemic continues, the relentless death toll has reinforced life's fragility and the limits of modern medicine to eliminate suffering at life's end. Women (and men) face a variety of health conditions—some of them terminal. The leading causes of death for women include cardiovascular disease and cancer. Reports from jurisdictions that have authorized medical aid in dying show that terminal cancer accounts for the vast majority of qualifying diagnoses for medical aid in dying, followed by neurodegenerative diseases such as ALS or Huntington's Disease as the second leading diagnosis and heart disease as the third leading diagnosis. The option of working with healthcare providers to implement individuals' wishes at the end of life is crucial. The End-of-Life Option Act helps to provide peace of mind and an additional support to alleviate suffering for women at the end of their lives.

Describe your proposed legislation:

Historically, women have been denied control over their bodies, for example in regard to reproductive health. The law should respect women's (and all people's) bodily autonomy during all stages of life, including end-of-life. The End-of-Life Option Act would authorize medical aid in dying, which is a widely supported end-of-life option that provides dying people with peace of mind and comfort during a difficult time. The option exemplifies a medical system that respects patients by allowing them to assert their values and priorities as death approaches. Access to medical aid in dying affords women who are terminally ill autonomy and compassion during the most difficult time and improves end-of-life care even for those who don't choose the option. The bill is supported by the following women-led organizations: AAUW, League of Women Voters, and Maryland Wise Women.

Benefit to Communities of Color:

The End-of-Life Option Act requires a terminally ill individual's attending provider to inform the individual requesting medical aid in dying of all end-of-life options, including palliative and hospice care. This informed discussion about end-of-life decision making with their provider will benefit individuals, especially those from historically marginalized communities. Racially and ethnically diverse communities, LGBTQ+ communities, and those with disabilities face systemic and persistent inequities in end-of-life healthcare, and, as a result, they are less likely to have the information necessary to be fully empowered to have a death consistent with their values and priorities. Data indicates that historically underserved communities are more likely to receive aggressive end-of-life care that does not increase, and may reduce, quality of life. Individuals with different beliefs may choose different levels of care. However, individuals seeking care deserve fully informed decision making, not limited access to available options due to systemic inequities in the healthcare system. The End-of-Life Option Act is supportive of access to the full range of end of life options.



Climate Crisis and Environmental Justice Act (CCEJ)

Bill Number: TBD

One Sentence Synopsis: The Climate Crisis and Environmental Justice Act (CCEJ) will help meet Maryland's greenhouse gas (GHG) reduction plan to meet net-zero emissions by 2045, in a just and equitable way by enhancing resilience to climate impacts; demanding accountability from fossil fuel companies by charging them a fee for the damages they are causing; using the revenue from the fee to help protect low- and moderate-income (LMI) households from financial harm; and aiding county and municipal governments in developing local Climate Action Plans.

Committees: TBD

Lead Sponsors: Senator Benjamin Kramer, Delegate Fraser-Hidalgo

Lead Group: Rebuild Maryland Coalition (Climate XChange Maryland)

Lead Group Contact: Wandra Ashley-Williams Regional Director, Climate XChange Maryland

Describe the problem:

Climate change is one of the greatest global challenges of the twenty-first century. Based on the findings of the Intergovernmental Panel on Climate Change (IPCC), people who are already most vulnerable and marginalized experience the greatest impacts. Climate change also reflects racial disparities and the widening gulf between rich and poor. Low- and moderate-income (LMI) communities are hit the worst by the climate crisis. A large percentage of such households are families of color and rural family households many of which are headed by women.

Women's vulnerability to climate change stems from several factors - social, economic, and cultural. Although climate change is a collective problem, women are increasingly observed as more vulnerable than men to the effects of climate change and its burdens. Accordingly, phenomena such as displacement, homelessness, poverty, sexual violence, and disease weigh more heavily on women and girls.

HEALTH DISPARITIES in WOMEN and CHILDREN:

When you hear reasons for reducing greenhouse gas emissions in Maryland, you often hear about investment in clean energy, better preparation for sea-level rise or flooding or even securing federal funding for investments in a clean energy future. These are crucial benefits to reducing carbon in Maryland. But they are just part of the positive impacts realized if we pass strong climate solution policies in the state. As we strive to move towards a pollution free environment, we must consider how to reduce the negative health effects of harmful air pollutants and to make this move a just transition.

The American College of Obstetricians and Gynecologists 2019 position paper states that “climate change is an urgent women’s health concern as well as a major public health challenge.” Continuous exposure to fossil fuels often leads to detrimental health effects for women, such as infant mortality, chronic bronchitis, and worsening of cardiac disease. Poor air quality can trigger asthma attacks, and elevated blood lead levels in children can cause developmental disabilities. These adverse health effects are most consequential to at-risk populations, which include a high number of pregnant women and developing fetuses.

During pregnancy, if a woman has higher exposure to these elements, they have a higher risk of preterm birth, low birthweight, and stillbirth. Birth weights have declined as rates of natural gas production have increased, according to a first-of-its-kind study conducted by Summer Sherburne Hawkins, an associate professor at the Boston College School of Social Work. She concludes that, “With our study, we’re able to say that this is not unique to a specific state but is true across the country.” Because housing and zoning policies are rooted in systems of racial inequity, African American mothers are at highest risk for these outcomes, which also means that policies that reduce air pollution burden will have the greatest benefit for these communities.

CHILDREN and TEENAGERS face greater risk of infection, coughing and bronchitis from air pollution. Growing up breathing high air pollution may even affect how children's lungs develop. Children and teens can be more active when they are outdoors, so they may inhale more pollution, putting them at greater risk of lung disease as they age. American Lung Association <https://www.lung.org/clean-air/outdoors/who-is-at-risk>

Nationally, asthma is a leading cause of chronic school absenteeism. The Maryland Department of Health reports that asthma is the most common chronic condition in Maryland schoolchildren, affecting more than 60,000 students statewide. When kids miss school from asthma, they risk falling behind in their studies and in many cases it also means that parents miss days of work (and income) or have to pay for unanticipated child care. Air pollution can also affect cognitive development in young children.

Climate solutions are health solutions. Not just on a global scale, but climate action has local health benefits. Strong climate legislation, such as the Climate Crisis and Environmental Justice Act, will improve the health of all Marylanders now and for generations to come.

Describe your proposed legislation:

The destructive impacts of climate change to Maryland’s lands, history, and economy, as well as to the health, traditions, and prospects of its people, now constitute an existential climate crisis. The Climate Crisis and Environmental Justice Act (CCEJ) addresses these threats to Maryland with transformative, market-based solutions.

The CCEJ incentivizes the reduction of fossil fuel CO2 emissions, and its passage would put Maryland on a commonsense, practical pathway toward a sustainable, vibrant economy. It will generate billions of dollars for investment in clean energy infrastructure, all while providing protective benefits to Maryland’s trade-exposed small businesses and most vulnerable populations: LMI households. Climate justice as well as racial/gender and environmental justice are inextricably intertwined and provide the foundation for policies designed to rebuild Maryland’s economy.

In addition, the CCEJ establishes two types of fossil fuel fees: 1) non-transportation fuel fee (Building Heat); and 2) transportation fuel fee (Gas). Revenue from these fees will be used to establish two separate funds:

Benefit Fund - 50% of the total revenue will go to LMI households and energy-intensive trade-exposed (EITE) businesses to protect them from financial harm.

1. The Household Benefits Account - 80% of the money in the Benefit Fund will go to LMI households.
2. The Employer Benefit Account - 20% of the money in the Benefit Fund will go to EITE.

Infrastructure Fund - 50% of the total revenue will go to invest in initiatives that improve the health and welfare of the citizens of the State.

1. At least 50% of the infrastructure account shall be invested in projects that are directly located within and provide meaningful benefits to environmental justice communities.
2. 50 % of the infrastructure fund shall be disbursed to qualified county and municipal governments for projects to mitigate GHG and build resilience.
3. Up to 5% of the infrastructure account shall provide technical assistance, capacity, and planning tools to county and municipal governments to develop qualified local climate plans and investment proposals.

Those who are most affected by climate change including women, girls and marginalized communities will qualify for the benefits of these funds. While addressing climate risks and mitigating their consequences must be among the state's top priorities, we must ensure that these vulnerable communities are protected from any additional costs in the transition to a clean energy economy.

How Will Women Benefit from This Legislation?

First, setting new statewide, greenhouse gas emission reduction goals to 60% by 2040 and net-zero emissions by 2045, will reduce the negative impacts on the public health, economic well-being, and natural treasures of the State. This reduction will greatly reduce the negative health effects of women and children.

Second, the CCEJ will make polluters pay for the damage they cause by charging a fee that will increase annually until the target reduction is met. The revenue from the fee is currently projected to be at least \$1B annually. Two funds will be established with the revenue from the fee – the Benefits Fund and the Infrastructure Fund as described above. These funds will be directed to the same vulnerable households and communities including women as indicated in the 2021 Maryland Women - A Status Report data listed below.

Third, Half of the Benefits Fund (\$500M) will go directly to low-income households – to the pocketbook of women in LMI communities. They will receive regular rebates to pay their utility bills, pay for their prescription drugs, put gas in their car, pay for public transportation, or spend however they choose. Half of the Infrastructure Fund will be directed to the same community to help them move into this green environment we are creating. Some people can afford to put solar panels on their roofs, purchase electric cars, protect their homes from flooding, or move to a less polluted community. Some of our citizens cannot. The Infrastructure Fund provides funding to those communities to ensure everyone has a just transition. Women and children living in those communities will qualify for those funds.

Here is some Maryland specific data. The Maryland Commission for Women 2021 Maryland Women – A Status Report indicates that:

- Women and girls represent more than 51% (3.1 million) of the population in Maryland.

- 49% of Marylander's workforce are female
- 60% of minimum wage workers are women – nearly 6 in 10 minimum wage workers in Maryland are women.
- Women's average earnings are less than men's at every education level (\$58,245 male vs \$44,988 female overall earnings) and (\$106,133 male vs \$75,625 female with graduate degree)
- Of mothers employed outside the home in Maryland, 29.5% are married and 20% are not married with children under 6
- 23% of single female-headed households with children under 18 live in poverty

Benefit to Communities of Color:

The disproportionate death toll from COVID-19 among African Americans and Latino Americans has reaffirmed longstanding inequities in health and access to care. Low and moderate income (LMI) communities are the worst affected by the climate crisis. A large percentage of such households represent families of color and rural family households, many of which are headed by women.

These vulnerable, struggling communities must receive resources for recovery from COVID-19 and the climate change crisis in general. Sufficient revenues must be allocated to ensure that the vast majority of LMI households do not experience increases in their cost of living because of the policy. The CCEJ Act will establish the Household and Employer Benefit Fund which will direct 50% of the revenue generated from the GHG pollution fees collected to LMI households to substantially increase protection. To further protect impacted households, fees charged may not be passed through as a direct cost to an end user of a fossil fuel or a customer of a gas company. The CCEJ Act has been designed to DO NO HARM.

The CCEJ Act specifically states that every investment in communities must help to eliminate racial injustice. The bill will create the Climate Crisis Infrastructure Fund to invest in projects that are directly located within and provide meaningful benefits to environmental justice populations. The Climate Crisis Infrastructure Fund will invest in initiatives that improve the health and welfare of the citizens of the State by creating a cleaner, more just, and more efficient transportation sector throughout the State; sequestering carbon in forests, soils, and wetlands; promoting a just transition to clean energy; as well as providing funding for resilience against climate change and weather events that have a devastating impact on the lives of the citizens of the State and its economy.



Repeal of Marriage as a Defense to Sex Crimes - Love is No Defense

Bill Number: TBD

One Sentence Synopsis: This bill proposes to repeal the law allowing marriage as a defense to sex crimes.

Committees: Senate Judicial Proceedings, House Judiciary

Lead Sponsors: Senator Susan Lee, Delegate Charlotte Crutchfield

Lead Group: Maryland Coalition Against Sexual Assault

Lead Group Contact: Lisae C Jordan, Executive Director & Counsel

Describe the problem:

This is a bill to repeal the current statute that makes marriage a defense to some sex crimes. Sexual Assault disproportionately affects women.

Like many states, Maryland's laws were based on the premise that marriage was consent to sex and that, therefore, a man could not rape his wife. Unlike many states, Maryland has not yet firmly rejected that antiquated and fundamentally disrespectful concept.

Describe your proposed legislation:

Criminal Law §3-318 provides that marriage is a defense to certain sex crimes. We have made some progress: Spouses can be prosecuted for any sex crime if they have a limited divorce or for some sex crimes if they have been separated for three months or have a written separation agreement. Finally, if the rape involved actual force or threat of force, marriage is not a defense. For other sex crimes, marriage is a complete defense. This bill repeals Criminal Law §3-318. Marriage should never be a defense to a sex crime.

Benefit to Communities of Color:

Black and Indigenous women who are victims of sex crimes receive less police protection, less interventions, fewer prosecutions of their assaulter, and less assistance. The U.S. Department of Justice estimates that for every white woman that reports her rape, at least five white women do not report theirs; and yet, for every African-American woman that reports her rape, at least fifteen African-American women do not report theirs. (Reporting Crime to the Police, 1992-2000, U.S. Department of Justice, Office of Justice Programs, March 2003). African American females experience intimate partner violence at a rate 35% higher than that of white females, and about 2.5 times the rate of women of other races, (Bureau of Justice Statistics, 2001). 48% of Latinas in one study reported that their partner's violence against them had increased since they immigrated to the US. (Dutton, Mary; Leslye Orloff, and

Giselle Aguilar Hass. 2000, Characteristics of help-seeking behaviors, resources, and services needs of battered immigrant Latinas: Legal and Policy implications. *Georgetown Journal on Poverty Law and Policy*. 7(2)). This bill will help reform a criminal justice system that fails women of color.



Criminal Injuries Compensation Board – Victim Compensation Reform

Bill Number: TBD

One Sentence Synopsis: This bill will create a non-discriminatory victim compensation process that is accessible to all victims of crime, or their family members left behind, provide prompt and crucial financial support when it is needed most, and remove unnecessary and arbitrary denials of financial relief for victims of crimes.

Committees: TBD

Lead Sponsors: Senator Shelly Hettleman

Lead Group: Maryland Network Against Domestic Violence

Lead Group Contact: Melanie Shapiro, Public Policy Director

Describe the problem:

Maryland's Criminal Injuries Compensation Board and victim compensation process is onerous and results in the routine denial of countless claims by victims of crime. The eligibility requirements include reporting the crime to law enforcement within 48 hours, fully cooperating with law enforcement, and an arbitrary determination that an individual did not contribute to their victimization. The barriers to victim compensation impact all victims of crime including victims of domestic violence which impacts 1 in 3 women. Despite the thousands of women in Maryland that experienced domestic violence in fiscal year 2021, as documented by the State in the Maryland Uniform Crime Report, no domestic violence related claims for victim compensation were paid during that same reporting period according to the report filed by the Maryland Criminal Injuries Compensation Board. The denial of victim compensation also impacts women who themselves are victims of gun violence and other violent crimes and women who have lost children or other loved ones to gun violence. The process to apply for victim compensation is not trauma-informed and can actually exacerbate the trauma victims and their families experience.

Describe your proposed legislation:

The proposed legislative solution will remove barriers and requirements to be eligible for victim compensation in Maryland including not requiring a report to law enforcement or cooperating with a prosecution, increasing the amount of money that victims and families can receive and expediting the process so that it is provided at the time of crisis when they need it most. The legislation will also remove the concept of someone contributing to their own victimization and being the "perfect victim." Many victims and survivors of domestic violence do not report their abuse to law enforcement, they might not seek medical attention due to the cost, and many are unaware that they are even eligible for compensation or avoid the process because it is so burdensome. The legislation is intended to remove all of those barriers.

Benefit to Communities of Color:

Domestic violence disproportionately impacts communities of color and specifically women of color. By improving the Criminal Injuries Compensation Board and victim compensation eligibility and process they will now be able to access a benefit intended for them and other victims of crime. The current data required to be reported regarding victim compensation claims and which are granted, and which are denied does not include demographic information including gender, race, and primary language. This legislation will require that information be collected and reported. Barriers to victim compensation are more extreme for communities of color as it relates to the subjective requirements including cooperating with law enforcement and contributing to one's own victimization.



The Maryland State Police Gun Center - Protective Orders

Bill Number: TBD

One Sentence Synopsis: This bill will expand the role of the Maryland State Police Gun Center to include collecting and tracking data on guns surrendered pursuant to a final protective order.

Committees: Senate Judicial Proceedings, House Judiciary

Lead Sponsors: Senator Pam Beidle

Lead Group: House of Ruth Maryland

Lead Group Contact: Dorothy Lennig, Legal Clinic Director

Describe the problem:

One of the most important safety tools victims of domestic violence use is the protective order. Every final protective order requires the respondent to surrender their firearms to law enforcement. Domestic violence advocates have long been concerned that respondents are not surrendering all of their firearms. There have been several high profile cases where respondents have either not surrendered their firearms or only surrendered some of their firearms and subsequently shot and killed their victims. Currently, different law enforcement agencies have different protocols for tracking the surrender of firearms. Last year, the Maryland General Assembly passed SB 861 which created the Maryland State Police Gun Center. The Center is “a statewide firearms enforcement center for the tracking, screening, and vetting of all firearm crimes committed in the state.” This bill would expand the role of the Center to require each law enforcement agency to report to the Center information about firearms surrendered pursuant to a final protective order. It would be the first step in analyzing whether our current system of protective order gun surrendering is effective.

Describe your proposed legislation:

If enacted, this bill will give us data about whether Maryland is effectively getting firearms out of the hands of respondents in final protective orders.

Benefit to Communities of Color:

Many people of color are reluctant to call the police, even in domestic violence cases, because of their past experiences with law enforcement. For some people of color who are domestic violence survivors, the civil protective order is a good alternative because it is a civil, not criminal, remedy. This means the survivor can apply for a protective order without involving law enforcement. Passage of this bill would make the civil protective order an even stronger remedy.



Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

Bill Number: TBD

One Sentence Synopsis: This bill will raise the standard of responsible gun ownership within the state by requiring that firearms be stored unloaded and locked and not accessible to minors and people who are prohibited from owning or possessing them.

Committees: Senate Judicial Proceedings, House Judiciary

Lead Sponsors: Senator Will Smith, Delegate Dana Stein

Lead Group: Marylanders to Prevent Gun Violence

Lead Group Contact: Karen Herren, Legislative Director

Describe the problem:

As of 2020, firearms became the leading cause of death of Maryland children. This bill seeks to raise the standard of gun safety amongst gun owners within the state to reduce the numbers of (1) unintentional shootings by children, (2) youth suicides, and (3) school shooting incidents. In addition, safe storage may also lead to less firearm related intimate partner violence incidents by reducing the easy accessibility of the gun in the heat of the moment and of legal firearms making their way into the criminal pipeline through firearm theft. Protecting our families and specifically our children is of the utmost importance to women across Maryland, and indeed the world. This bill addresses an element of gun violence that is almost entirely preventable through responsible behaviors.

Describe your proposed legislation:

There are plenty of examples of how legislation has been used to change culture around behaviors related to safety. We require young children to be buckled into car seats and everyone to wear a seat belt in an automobile. There was a time where both of these things were uncommon, but few people resist the importance of those moves today. That is a result of mandating legislation and educating the public. This bill's purpose is similar. There is too much disinformation circulating especially amongst gun owners about how easy accessibility to a firearm makes one safer. Unfortunately, the opposite is true and unsafe storage practices leads to entirely preventable child and youth access to firearms which result in unintentional shootings, suicides and suicide attempts, and even school shootings. Around $\frac{3}{4}$ of school shooters under the age of 18 (which most of them are) get their firearm from their own home or that of a friend or relative.

The risk of an unsecured firearm in the home makes it 5 times more likely that an abusive partner will kill his female victim. (Campbell, J. C. et al. "Risk factors for femicide in abusive relationships: results from a multisite case control study". American Journal of Public Health. (2003).

<https://doi.org/10.2105/ajph.93.7.1089>) Storing guns locked and unloaded can provide a critical pause during the heat of the moment and can literally be the difference between life and death. Protecting our children is a women's issue ... as is anything that can result in better results during domestic disputes.

Benefit to Communities of Color:

Black children and teens are 6 times as likely as their white peers to die by gun violence. Furthermore, any exposure to violence in childhood can have long lasting repercussions for not only the injured or killed but any child with connections to the event. Saving even one of these incidents from happening very likely prevents numerous negative impacts that result from gun violence.

As to Intimate Partner Violence, more people died by the hands of their partner in 2021 than in the last 14 years. 76% of them were killed with a gun and black women accounted for 60%.

Raising the standards of safe storage of firearms will protect children today and curb the damage done to tomorrow's adults thus helping to reduce the likelihood of future adult violence. It may further create the needed pause in a heated moment for better decisions or the ability of a victim to remove themselves from the danger.



Wage Pass-Through for Quality Care and Good Jobs

Bill Number: TBD

One Sentence Synopsis: This legislation will amend law to increase state Medicaid reimbursement rates for long term care facilities and ensure a percentage for skilled nursing facility care force wages and benefits.

Committees: TBD

Lead Sponsors: Senator Rosapepe, Delegate Henson

Lead Group: 1199 SEIU

Lead Group Contact: Ricarra Jones, Political Director

Describe the problem:

The dovetailing of short staffing and low wages has led to poor quality of care in many nursing homes. Many of these workers are at facilities where there is little financial transparency of how public Medicaid dollars are being spent.

Across the nation, there are approximately 3.9 million older adults and those with disabilities staying in long term nursing facilities and short stay post-acute facilities. They are relying on the 1.2 million nursing home workers. Among CNAs, LPNs, and RNs in Maryland, the majority are women. Among CNAs, over 90% are women and over half are people of color. 45% of women who are CNAs have a child below the age of 18. In Maryland the hourly wage for nursing assistants in skilled nursing facilities is \$15.43 while in DC it is one of the top highest in the country at \$18.43. 1 in 5 CNAs are on some form of public assistance such as Medicaid. 31% of CNAs lack affordable housing. The median annual turnover rate is at 51.2%. Many direct care staff including custodial services, dietary aides, CNAs, and GNAs are working at multiple long term care facilities to earn more money. Because of the physical demands of the jobs they are 3 times more likely to be injured on the job than the typical worker.

Describe your proposed legislation:

Increasing Medicaid Reimbursement rates for long term care facilities and specifying the percentage that is designated for worker wages and benefits is one way to address worker retention, safe staffing, and quality care. Structural solutions to short staffing require financial transparency and worker investment through safe staffing levels, higher wages, and benefits.

The gender pay gap increase as each dollar a man receives, women on average receive .88 cents and Black women on average receive .58 cents. Increased funding to facilities can help to right the gender pay gap especially for our low wage skilled nursing facility workers.

21 states have implemented this policy known as the “wage pass-through” -- connecting Medicaid reimbursement rates with investment into workforce. States such as New Jersey and Connecticut have already enacted wage pass-through policies to address the short staffing crises in their nursing homes.

Benefit to Communities of Color:

Long term services, including care received in residential settings such as nursing homes are highly racially segregated. Black, Indigenous, and persons of color have less access to quality care and report poorer quality of care compared to their white counterpart. Systemic racism lies at the root of these disparities, manifesting by racially segregated care, low Medicaid reimbursement, and lack of livable wages for staff, all of which exacerbate disparities. Skilled nursing facility workers are predominantly women of color who are struggling to ensure they have child care, elder care, and other basic needs that require a family-sustaining wage. Economic justice for staff at nursing homes will ensure that patients receive adequate care.



Child Care Sustainability Act

Bill Number: TBD

One Sentence Synopsis: Sustain investments in the Child Care Scholarship Program ensuring access to affordable child care for Maryland families.

Committees: Senate Education, Health, and Environmental Affairs, Senate Budget and Taxation, House Appropriations, House Ways and Means

Lead Sponsors: Senator Nancy King, Delegate Jared Solomon

Lead Group: Maryland Family Network

Lead Group Contact: Beth Morrow, Associate Director of Public Policy

Describe the problem:

During their working lives, nearly 85% of women will become mothers. Because new babies generally increase families' expenses, family economic security suffers when families struggle to find and afford quality child care. Without care, women often struggle to re-enter the job market.

While Maryland has recently instituted dramatic improvements in its Child Care Scholarship Program, much work remains. Some changes will begin to minimize the burden women face when accessing support. Advocates anticipate policy changes such as presumptive eligibility for child care scholarship (CCS) applicants and a streamlining of the scholarship application itself will begin to eliminate barriers to access.

Without sustained funding, however, families could face increased costs or waiting lists for care.

Describe your proposed legislation:

The Child Care Sustainability Act will be introduced in response to the growing (and overdue) recognition of two facts laid bare by the pandemic: Child care, in U.S. Treasury Secretary Janet Yellen's words, is "a textbook example of a broken market." Child care is, moreover, an essential public good that not only needs but deserves substantial public investment.

The Child Care Scholarship Program (CCSP) is the largest public investment in the child care sector. In 2022, due to an influx of federal pandemic relief funds combined with an unexpectedly robust state economic rebound, Maryland's early childhood programs—CCSP among them, benefited from tremendous investments authorized by the Governor and the General Assembly.

On May 23, 2022, MSDE enacted three programmatic changes in the CCSP: 1. Income eligibility was increased from 65% of state median income to 75% of state median income; 2. Scholarship

reimbursement rates increased from the 60th percentile to the 70th percentile; and 3. parent co-pays were eliminated or significantly reduced.

According to estimates by The Regional Economic Studies Institute (RESI) at Towson University, for these programmatic changes to continue after the one-time federal funding sources are fully expended, the State will need to allocate additional funds for the CCSP. The cost estimates for FY 24 and FY 25 for these programmatic changes are \$67.2 million each year if the changes are expected to continue. If the State does not make an additional investment in FY 24 going forward, certain programmatic choices would be considered including reduced income eligibility, reduced reimbursement rates, and/or reinstate parent copays.

The Child Care Sustainability Act seeks to sustain the critical investments in the Child Care Scholarship Program.

Benefit to Communities of Color:

An equitable early start is essential because early disparities decrease the likelihood that children and families receive the opportunities and services they need to reach their full potential. Equitable early life experiences are formative inputs to an adult's educational attainment, health status, and social contributions. When we start from the beginning, the benefits of equity are maximized—for individuals and for society as a whole. Ongoing efforts are needed to embed equity in the design of early childhood education policies, programs, and practices. Maryland's current system of early care and education is not equal to the task of reliably promoting learning, healthy development, and school readiness for all children.



Safe Harbor for Sexually Exploited Youth

Bill Number: TBD

One Sentence Synopsis: This bill will provide a safe harbor for child victims of sex trafficking and prevent their further victimization by connecting them to rehabilitative and supportive services through the already established Regional Navigator program, while providing a pathway to prevent any criminal or delinquent charges brought against them that are directly related to their trafficking.

Committees: Senate Judicial Proceedings, House Judiciary

Lead Sponsors: Senator Susan Lee

Lead Group: Maryland Human Trafficking Task Force

Lead Group Contact: Amanda Rodriguez, co-chair, Legislative Subcommittee, MD HTTF; Melanie Shapiro, co-chair, Legislative Subcommittee, MD HTTF

Describe the problem:

The majority of sex trafficking victims are women and girls. Currently in Maryland, children can be charged in the adult criminal or juvenile justice system for acts that are directly linked to their victimization, including prostitution and other related offenses.

Describe your proposed legislation:

This bill would provide a safe harbor for child victims of sex trafficking and prevent prosecution for acts committed as a result of their trafficking including prostitution and other related offenses. Legislation was passed in 2019 establishing the Regional Navigator program that connects child survivors of trafficking to necessary services. This bill will benefit women and girls by preventing them from being criminalized for acts they committed as a result of their trafficking victimization, and will support their healing rather than their continued punishment.

Benefit to Communities of Color:

Yes. Children of color are over-represented as child victims of sex trafficking. Communities of color as a whole are over-criminalized leading to children of color being disproportionately represented within the adult criminal and juvenile legal systems. This bill would provide a pathway out of these systems and would instead divert trafficked youth into services that support their healing rather than compound the trauma they've already experienced.



Primary Caretakers Bill

Bill Number: TBD

One Sentence Synopsis: This bill asks judges to consider whether a person convicted of a non-violent offense is a caretaker of a dependent, and if so, whether that person can be placed into a community-based alternative to incarceration that would prevent separation of the caretaker and their dependent.

Committees: TBD

Lead Sponsors: Delegate Leslie Lopez

Lead Group: Maryland Justice Project

Lead Group Contact: Ava Levine, Intern and Monica Cooper, Executive Director

Describe the problem:

It is estimated that up to 90,000 children in Maryland have a parent that is either in prison, jail, or under parole/probation. Over the past 40 years, the number of women in prison in Maryland has increased by over 400%. When caretakers are sent to prison and separated from their dependents, both suffer. Well over half of incarcerated women in Maryland are mothers, and more than half were primary caretakers prior to incarceration. Furthermore, given that most women are incarcerated at the Maryland Correctional Institution for Women, and few transportation options to the prison exist, it is often difficult for children to visit their incarcerated mothers, further breaking the bond between a mother and her children. Children with incarcerated parents have been shown to have higher rates of physical health problems (including migraines, asthma, and HIV/AIDS) in addition to higher rates of mental health problems (including depression, anxiety, and PTSD). Most children of incarcerated mothers live with their grandparents, instead of their fathers. Maryland policy also typically results in newborn babies being separated from their incarcerated mothers directly after birth. Ultimately, incarceration and the family separation it results in are becoming increasingly large problems for all people in Maryland, but particularly women.

Describe your proposed legislation:

The Primary Caretakers Bill asks judges to consider whether a person convicted of a non-violent offense is the main caretaker for a dependent. If so, the judge can send the person to a community-based alternative to incarceration where appropriate, in turn allowing the caretaker to remain with their dependent. While judges retain discretion as to what exactly the community alternative is, examples include but are not limited to substance abuse treatment, job training, parenting classes, or home monitoring. Given that more than half of incarcerated women are mothers, this bill will have a direct impact on women. Not only does the option for a community-based alternative to incarceration help end the mother-child separation that incarceration so often results in, but it also is more likely to help women get the targeted help they need that may not have been otherwise available in prison.

Community-based alternatives to incarceration have repeatedly been shown to be successful in developing the relationship between a parent and their child and for improving parental skills. By allowing women to avoid incarceration and stay with their dependents through a community-based sentencing alternative, needless family separation and harm to both the mother and child can be avoided. Note, this bill was introduced and presented at MLAW last year, but failed to pass.

Benefit to Communities of Color:

By diverting people from incarceration, the Primary Caretakers Bill will absolutely benefit communities of color. Historically and today, people of color, and specifically Black people, have been disproportionately targeted and unfairly punished by Maryland's justice system. Maryland's prison population is approximately 70% Black, whereas the state population is approximately 30% Black. Allowing caretakers to remain with their dependents can help reduce the number of people of color incarcerated in Maryland.



Prevention of Forced Infant Separation Act

Bill Number: TBD

One Sentence Synopsis: This bill would establish beds for incarcerated women and their newborns at the incoming pre-release facility for incarcerated women

Committees: TBD

Lead Sponsors: Delegate Leslie Lopez

Lead Group: Maryland Justice Project

Lead Group Contact: Ava Levine, Intern and Monica Cooper, Executive Director

Describe the problem:

In 2020, 17 sentenced pregnant women were admitted to Maryland DPSCS facilities. In the same year, there were also 9 live births among sentenced women. As it stands, at the time of birth incarcerated mothers are unable to remain with their newborns. Newborns are either sent to foster care, or, if the mother is lucky, sent to live with a relative on the outside. The new mothers are typically sent back to their correctional facility within 1 to 2 days. Extensive evidence has shown that there are biological benefits of keeping mothers and their newborns together, including but not limited to breastfeeding and skin-to-skin bonding. By depriving incarcerated women the opportunity to remain with their newborns, we are harming both mothers and their babies.

Describe your proposed legislation:

The Prevention of Forced Infant Separation Act would require a designated number of beds for incarcerated women and their newborns to be established at the incoming pre-release facility. Under this program, pregnant incarcerated women who are eligible for pre-release status (typically women convicted of non-violent offenses and those with under one year remaining in their sentence) would be allowed to remain with their newborn babies at the pre-release facility for one year. Understanding the importance of bonding with other family members as well, the program would allow the father (or other secondary caretaker) to have increased visitation with the child. *Note, this bill was introduced last year and supported by MLAW. We hope to try again this year.

Benefit to Communities of Color:

We do not know the races of incarcerated pregnant women in the state of Maryland. However, we do know that in 2020, of the 171 women sentenced to DPSCS facilities in Maryland, approximately 58% were Black. This statistic is not just typical of the year 2020. In Maryland, the prison and jail population is disproportionately Black, reflecting a pattern of institutional racism. Furthermore, extensive evidence has shown that Black mothers are subject to undue scrutiny that white mothers don't experience. Again, this occurs through systems of racism, in which Black mothers are more likely to have their abilities doubted and subject to unnecessary state intervention in their families through institutions like Child

Protective Services. Undeniably, this bill will help all incarcerated mothers. However, much of the benefit is likely to be felt by Black incarcerated women and mothers.



Child Abuse and Neglect - Definition of Neglect

Bill Number: TBD

One Sentence Synopsis: This bill would alter the definition of “neglect” in statutory provisions that govern child in need of assistance (CINA) proceedings and the reporting and investigation of suspected child abuse and neglect, in order to make the law clear that child neglect does not include, on the part of a victim of domestic violence, failing to protect a child from witnessing domestic violence, failing to leave a home or relationship in which domestic violence has occurred, failing to call the police or social services, or failing to file a protective order.

Committees: House Judiciary

Lead Sponsors: Delegate Lesley J. Lopez

Lead Group: Maryland Office of the Public Defender

Lead Group Contact: Natasha Khalfani, Parental Defense Division Legislative Team Lead

Describe the problem:

In Maryland, a victim of domestic violence can have her children removed from her custody because her children are being exposed to her abuse.

Many times, for a victim of domestic violence it is not a choice to stay. There are various components of domestic violence that leave victims trapped in an abusive relationship. Women are often alienated from family and friends so that they have no support and are forced to rely solely on their abuser. Many victims are financially reliant on their abuser so that they will not have the financial resources to live separate and apart from the abuser. Further, many victims of domestic violence are emotionally and psychologically abused and made to think they are in some way worthless are not capable of living separate and apart from their abuser. And lastly, victims of domestic violence are often surveilled and threatened that if they try to leave they would lose their children and even their lives as the abuser will threaten that he or she would kill the victim rather than live without them. This is the backdrop for which many victims of domestic violence will stand before the court and have their children taken away from them because they did not leave their abuser.

In order to get their children back, these mothers often have to find new housing, take parenting and anger management as well as get domestic violence counseling and individual therapy. Many also have to figure out how to support their children and themselves without the assistance of their partner. They have to restart their whole lives in order to get their children back – a time period that could take months or years.

Describe your proposed legislation:

In redefining neglect to not include a victim of domestic violence who is being abused in front of her children, the legislature will guide the court in acknowledging that the victim is not the perpetrator and should be protected. It will also prevent courts from further traumatizing children by taking them away from a parent who loves them and provides proper care and attention.

Benefit to Communities of Color:

This legislation would help address racial disparities and systemically engrained laws and practices that have inflicted unspeakable harms on generations of Black communities by separating Black children from their families. Black children are overrepresented in the child foster care system, causing further generational harms for these children and families who often age out or are pushed out into further circumstances of poverty, homelessness and abandonment. The traumatic cycle of removing Black children from their families who are in need of supports has to stop.

This bill will help stop this harmful practice by ensuring that victims of domestic abuse, whereby Black women are statistically overrepresented, will not be subjected to further victimization for failing to leave their abuser. Rather resources should be directed towards helping victims of abuse leave dangerous situations along with their children.

Statistics consistently show that Black women and women of color experience domestic violence at rates higher than white women. Black females in particular, are reported to experience intimate partner violence at a rate of 35% higher than that of white females and about 22 times the rate of women of other races. Black women and Black expectant mothers are also the victims of murder at alarming rates yet their deaths are grossly underreported and underpublicized. In fact, the probability of being murdered while pregnant or within the year after childbirth is 11 times higher for Black women ages 25-29 than their White counterparts.

Additional statistics and data resources on Black women and domestic violence available at <http://idvaac.org/wp-content/uploads/Facts%20About%20DV.pdf> (Facts About Domestic Violence and African American Women).



2023 Agenda Process and Bill Selection

The criteria for initiatives to be presented at the conference are:

- Addresses an issue related to women's health, women's personal safety at home, in public, in school, and in the workplace; the ability to achieve and maintain economic independence; or freedom from discrimination in Maryland's economic, educational, judicial, political, and social system;
- Can be addressed through the legislation in the Maryland General Assembly;
- Has a reasonable chance to move successfully through the legislative process;
- Has an identifiable, sustainable lead group that can shepherd the bill.
 - The lead group must:
 - Be a Maryland-based group or a national group with a strong on-the-ground presence in Maryland;
 - Have issue-area expertise and/or a track record of supporting legislation/advocacy in areas related to this proposal;
 - Have an identified representative who will be in regular contact with the MLAW Board of Directors about the progress of the legislation; and
 - Regularly provide legislative updates and supportive materials for MLAW to share with our members so that they can take action.

In 2020, we added a requirement that all legislative proposals submitted for consideration for the annual MLAW Legislative Agenda must include information about racial impact and be reviewed by the Board of Directors using a racial equity lens.

Following the conference, the bills presented will be sent to MLAW members for a vote. All individual and organizational members in good standing will be eligible to vote for their top priorities using rank choice voting. The top 6-8 bills will be selected as the **2023 Maryland Legislative Agenda for Women**.

If you are not a current member, but would like to participate in this process, please visit our website to join. Ballots will be sent to new and renewing members on a rolling basis until the balloting deadline of 12/12/2022. mdlegagendaforwomen.org/join-mlaw

The 2023 Agenda will be announced the week of December 19th and will officially presented at our **Annual Legislative Briefing**. The Briefing will be hosted on Zoom again this year, date TBD.

Thank you to our 2022 Fall Conference Sponsors

PLATINUM SPONSORS



www.marylandwomen.org



Planned Parenthood of Maryland



Planned Parenthood of Metropolitan Washington, DC



GOLD SPONSORS



CITY OF
COLLEGE PARK

PAMELA QUEEN
HOUSE OF DELEGATES



SILVER SPONSORS

Tahira Mussarat Hussain
Board Member



EMERGE
MARYLAND



Prince George's County Chapter, MD
Top Ladies of Distinction, Inc. (TLOD)



BRONZE SPONSORS

Michael Cohen



Wendy Frosh

Elizabeth Joyce

BALTIMORE COUNTY
Commission for Women



Susan Horst

Joan Stine



ZONTA
CLUB OF
ANNAPOLIS
MEMBER OF ZONTA INTERNATIONAL
EMPOWERING WOMEN
THROUGH SERVICE & ADVOCACY

