



Ending the cycle of violence for survivors and children through pro bono legal aid

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

Volunteer Legal Advocates, formerly DC Volunteer Lawyers Project, was founded in 2008 to provide high quality, pro bono legal services to survivors of domestic violence, immigrant survivors of gender-based violence, and vulnerable children. We use an innovative volunteer lawyer model where we train and supervise pro bono lawyers to broaden our impact. In 2025, over 600 lawyers volunteered with us, contributing \$23M in free legal services. Together we provided legal assistance and support to over 3,000 adults and children.

In January 2023 we expanded our domestic violence services into Montgomery County, where our team of four lawyers, one client advocate, and one program coordinator operates out of the Family Justice Center in Rockville. We have a weekly domestic violence walk-in clinic at the Rockville Memorial Library each Wednesday afternoon, and after conversations with the Self-Help Center and Family Justice Center about their capacity issues, we have started a twice-monthly clinic where we help unrepresented domestic violence survivors complete forms in family law cases. Since we opened our Maryland office has served 726 clients in family law and domestic violence matters, with the help of 82 volunteer attorneys, and we've handled 151 protective order cases.

Volunteer Legal Advocates urges the House Judiciary Committee to issue an unfavorable report on HB 1586.

As an organization that works closely with survivors of domestic violence and advocates for their safety and access to justice, we recognize that coercive control is a deeply harmful and pervasive form of abuse. Many survivors we serve describe patterns of intimidation, isolation, surveillance, and manipulation that create a constant environment of fear and instability. These dynamics can profoundly impact survivors' mental health, autonomy, and ability to safely leave abusive relationships.

For these reasons, we strongly agree that coercive control is an important component of intimate partner violence that deserves recognition within our legal system. At the same time, we have serious concerns about the approach taken in House Bill 1586 and the

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potential consequences of incorporating a broad definition of coercive control into the statutory definition of abuse for purposes of issuing protective orders.

Protective orders play a critical role in survivor safety. They are designed to function as an emergency legal remedy for individuals facing violence or credible threats of violence. Because these situations often involve urgent safety risks, the law allows courts to grant significant and immediate relief, including ordering a respondent to vacate a shared home, imposing stay-away provisions, issuing temporary custody arrangements, and providing emergency financial support. These remedies are intentionally powerful because they are meant to address situations involving serious and imminent danger.

HB 1586 would significantly expand the scope of the protective order statute by allowing courts to issue these extraordinary remedies based solely on findings of coercive control. While the bill is clearly motivated by a desire to better support survivors, we are concerned that this expansion could have unintended consequences that ultimately undermine the effectiveness of the protective order system.

First, the bill's definition of coercive control is extremely broad. In practice, this language could encompass a wide range of relationship conflicts that, while harmful or unhealthy, do not rise to the level of domestic violence as traditionally addressed through protective orders. Expanding the statute in this way risks diluting a legal tool that is intended to address urgent threats of violence and immediate safety concerns.

Second, advocates who work with survivors are deeply aware of the barriers survivors already face when seeking protection from the courts. Unfortunately, there is sometimes a perception within the legal system that protective orders are used strategically in family law disputes, particularly in custody cases. In our experience, that perception is largely inaccurate and does not reflect the reality faced by survivors seeking safety. However, expanding the statute to include coercive control could reinforce that misconception and lead to increased skepticism toward protective order petitions. If that occurs, survivors experiencing real and immediate danger may face greater difficulty obtaining protection.

Third, coercive control is often complex and difficult to prove within the structure of an emergency protective order proceeding. These cases frequently involve patterns of behavior that unfold over time and require detailed context to fully understand. The current protective order process is designed to address urgent safety concerns quickly, often within limited timeframes and with minimal evidence available at the initial stage. Courts may not be well equipped to evaluate these complex patterns in that setting, which could lead to inconsistent outcomes and confusion about how the statute should be applied.

Advocates are also increasingly concerned about the ways in which abusers manipulate legal systems to continue exerting control over survivors. We have seen growing instances of abusers filing protective orders against survivors while presenting

themselves as the victims. This tactic can further isolate survivors and expose them to additional legal risks. Expanding the statutory definition of abuse to include coercive control may unintentionally create additional opportunities for this type of legal system abuse.

These concerns are reflected in broader discussions within the anti-domestic violence advocacy community. Research from the Battered Women's Justice Project has highlighted ongoing disagreement among advocates about whether coercive control should be incorporated into protective order statutes. Many experts caution that such reforms, while well-intentioned, may introduce implementation challenges and unintended consequences without significantly improving courts' ability to respond to survivors' experiences of abuse.

To be clear, our concerns about this bill should not be interpreted as minimizing the seriousness of coercive control. Survivors experience coercive control every day, and it is often a central part of abusive relationships. The question before the legislature is whether expanding the protective order statute is the most effective way to address it. If the legislature wishes to ensure that courts better recognize coercive control, a more balanced approach would be to amend the statute to explicitly direct courts to consider evidence of coercive control when evaluating protective order petitions. This approach would help educate the judiciary about the dynamics of coercive control and allow survivors to present the full context of their experiences, while preserving the protective order system's focus on addressing urgent safety threats.

Protective orders are one of the most important legal tools available to survivors facing immediate danger. Any changes to this system should be approached with great care to ensure that they strengthen, rather than inadvertently weaken, the protections survivors rely upon.

For these reasons, we urge careful consideration of the potential impacts of House Bill 1586 and encourage the legislature to explore alternative approaches that support survivors while preserving the integrity and effectiveness of the protective order system. Thank you for your consideration and for your continued commitment to survivor safety.

For these reasons, **Volunteer Legal Advocates urges an unfavorable report on HB 1586.**