

PRESS RELEASE

February 5, 2019

POC: Peggy Callahan, Legislative Director
Office: 301-858-3101, Cell: 240-593-0329
Geraldine.Valentino@house.state.md.gov

HB253, Del. Geraldine Valentino-Smith (23A), Protective Orders – Relief – Transfer of Wireless Telephone Service, Presented to the House Judiciary Committee at Hearing on February 7 at 1 p.m.

This week, the Maryland General Assembly is taking up a measure (House Bill 253) that addresses protective-order relief to permit the transfer of shared wireless telephone service from a domestic abuser to the survivor, and, where applicable, children. “This legislation would allow someone to leave a violent situation and still have access and control over their phone,” says the bill’s sponsor, Del. Geraldine Valentino-Smith, D-District 23A, Prince George’s County. “Domestic violence victims desperately need to separate from their abusive relationships.” On Thursday, Del. Valentino-Smith will present her bill on behalf of herself and her ten co-sponsors to the House Judiciary Committee.

HB 253 authorizes a court, in issuing a final protective order, to order a wireless telephone service provider to transfer to a person, eligible for relief, the billing responsibility for and the right to continue the use of any telephone number used by that person. The order would also apply to a minor child in that person's custody.

“The bill,” says Del. Valentino-Smith, “helps clarify that relief is available when the abuser is the primary account holder on a shared cell phone plan—and can track the survivor’s call histories, e-mails and even locations.” A former member of the Judiciary Committee, Del. Valentino-Smith has long been a strong advocate for domestic violence legislation. “At present, there is no standardized practice for victims, who are not the primary account holder, to separate from a wireless plan,” she says. “The wireless company may not even take phone calls about the plan, if the survivor is not the holder of the account.” The legislation will correct that most serious shortcoming by allowing a transfer to the abuse victim without the consent of the account holder.

HB 253 has backing from CTIA—The Wireless Association, America’s trade association representing the wireless communications industry nationwide, and the Women’s Law Center of Maryland (WLC), a private non-profit voice for justice and fairness for women.

Says CTIA, “We wholeheartedly share the goal of ensuring that victims of domestic abuse and others under protective orders have the flexibility to modify access to phone service.” “The cell phone,” says the WLC, “is often at the center of the power and control dynamic in protection order case.” Breaking the tie to the abuser’s cell phone contract together with the technological tether to the abuser is a meaningful way to work toward permanent safety and independence.

“No longer will you have to just dump your phone and start over,” says Valentino-Smith. “No longer will you have to give up things you hold near and dear like pictures, contacts and connections.”

“Abuse is about power over the victims,” Valentino-Smith continues, “and this proposal is intended to diminish the abuser’s power and empower victims to get out of violent situations. We want to create an environment here in Maryland where victims of domestic violence can easily escape and fully remove themselves. We are about helping women and children succeed, when they have to make the difficult decision to leave an abusive relationship.” -endit-