

**Testimony to the House Judiciary Committee**  
**HB 597 – Small Claims– Examination in Aid of Enforcement -- Prohibition on Arrest or**  
**Incarceration for Failure to Appear**  
**Position: Favorable**

February 21, 2013

The Honorable Joseph F. Vallario, Jr.  
House Judiciary Committee  
Room 101, House Office Building  
Annapolis, MD 21401  
cc: Members, Judiciary Committee

Honorable Chair Vallario and Members of the Judiciary Committee:

**Statement of Bryan B., Essex, Maryland.**

About five years ago I got my first apartment of my own. I was just 21 years old, but I had a job and I was excited to be living on my own for the first time. But when I lost my full-time job a few months later and my mother got really sick, it started to be hard for me to keep up with the rent payments. I sometimes had to pay the rent late, and I had to add big extra late fees to my rent payments in some months. But I thought I was keeping up with what I owed. I never dreamed I'd end up being arrested and detained not once, but twice, over back rent the landlord said I owed.

In 2008, while I was still living in the apartment, I was shocked when I got a call from a friend who had seen my name on a docket at the courthouse in Towson and called to tell me that I had been supposed to be in court that day because the landlord said I was behind in my rent. I had never gotten any papers telling me to appear in court so this was the first I had heard about the case. I went to the courthouse to find out what I needed to do. I was arrested and detained for about a day before being released without a bond.

Four years later, I was very surprised to learn that I had again been ordered to appear in court about rent they said I still owed. I went in to the courthouse in Essex to try to resolve the situation. When I told the clerk about the issue, this time I was immediately handcuffed and shackled and put under arrest. The police drove me, in handcuffs, in a squad car to the police station where I was booked and put into the system.

I was arrested on April 18, 2012. The process took hours and it was very humiliating – especially because I was trying to do the right thing and get the situation resolved.

After I was booked, the police drove me back to the courthouse in Essex, where I was jailed and put in a holding cell. After several hours in the cell, I was taken before a judge who set bail at \$2,500. It took more than a day for my mother to be able to post a bond of \$250. I was in jail for about a day and a half, and when I did appear in court again the judge made us hand over the

\$250 bond to the people suing me. My mother lost all that money – and she's an older woman who's sick and doesn't have much money, so \$250 is a lot of money for her to lose.

Being arrested and shackled like that made me feel like an animal in a cage. And it was really unfair because I turned myself into the court to try to do the right thing and find a way to resolve the situation. They didn't have to arrest me that way.

I made some mistakes in dealing with my first apartment and I learned a lot from the experience. But it wasn't fair for them to arrest me when I was trying to handle the situation properly. The experience put a huge strain on me for many months.

The whole thing has been very painful and unfair for me and my mother and only made it harder for me to find work and pay my bills.

Sincerely,

Bryan B.