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TESTIMONY IN SUPPORT OF HOUSE BILL 3
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The House of Ruth Maryland is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. House of Ruth has offices in Baltimore City, Baltimore County, Prince George’s County, and Montgomery County. House Bill 3 would 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. **We strongly urge the House Judiciary Committee to issue a favorable report on House Bill 3.**

Protective orders are one of the most important tools that victims of domestic violence use to enhance their safety. 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. The gun surrender process is handled at the local level and there are no uniform protocols across Maryland’s many law enforcement agencies 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 year, House Bill 3 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.

HB 3 would not change anything about when and how firearms are surrendered pursuant to a protective order. Before a court can issue a final protective order against a respondent, law enforcement must personally serve the respondent with the protective order petition and the respondent must be afforded the opportunity to appear for a final protective order hearing where they can either consent to entry of the order or have a full trial in front of a judge. Once the court enters a final protective order, both state and federal law require the respondent to surrender firearms. All of these procedures will remain in effect. House Bill 3 simply establishes a tracking mechanism to enable law enforcement to determine whether our current system of protective order gun surrendering is effective. 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.

Effective firearms surrender is an important issue in many respects. As part of his platform, Governor Wes Moore expressed that he will work with law enforcement agencies to create a firearms database to track firearms used in crimes to better enable law enforcement to analyze and solve gun crimes. While protective orders are not criminal in nature, many of the acts which form the basis of issuing a protective order are crimes and the petitioner has to prove that an act of abuse occurred in order to be awarded a final protective order. Tracking firearms surrendered pursuant to a final protective order would be another tool for providing safety to survivors of domestic violence.

The House of Ruth strongly urges a favorable report on House Bill 3.