



progress@umd.edu  
 go.umd.edu/progress  
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PROGRESS Co-Directors:  
 Joseph B. Richardson, Jr., PhD  
 Woodie Kessel, MD, MPH

**TESTIMONY OF THE UNIVERSITY OF MARYLAND PROGRESS INITIATIVE  
 ON TUESDAY, FEBRUARY 27, 2024  
 BEFORE THE MARYLAND SENATE JUDICIAL PROCEEDINGS COMMITTEE  
 REGARDING SB 905 - CROSS-FILED WITH: HB 1267  
 PUBLIC SAFETY – EXTREME RISK PROTECTIVE ORDERS – REVIEW OF COURT  
 RECORDS  
 SUPPORT**

The Honorable Chair Senator William C. Smith, Jr. and Vice Chair Senator Jeff Waldstreicher, and distinguished members of the Judicial Proceedings Committee:

The University of Maryland (UMD) Prevent Gun Violence: Research, Empowerment, Strategies and Solutions (PROGRESS) initiative provides this testimony in support Public Safety – Extreme Risk Protective Orders (ERPO) – Review of Court Records - SB 905, sponsored by Senators Kelly, Lam, Hettleman, Beidle, Waldstreicher, Gile, and Elfreth. Responding to the need for evidence-based policies to prevent gun violence, this legislation authorizes researchers affiliated with institutions of higher education who are conducting academic or policy research to review court records related to petitions for extreme risk protective orders.

**GUN VIOLENCE**

Gun violence in the United States is a uniquely American epidemic. Every day in the US nearly 134 children, women and men lose their lives to firearm violence, and many suffer from non-fatal gun injuries.<sup>1</sup> Shamefully, gun violence is now the leading cause of death for all children and youth in the United States, and has been the leading cause of death for Black children in the US for almost two decades.

In response to this public health and public safety crisis, University of Maryland President Darryll Pines established the PROGRESS initiative. At the PROGRESS launch event President Pines noted that, “Gun violence is a preventable problem and a uniquely American grand challenge. The University of Maryland will not shy away from pursuing innovative solutions backed by science and data to end the scourge of senseless violence in communities across our country.” The primary mission of PROGRESS is to reduce firearm-related violence using a multi-disciplinary, community-based and translational science approach to promote public safety and enhance the quality of life for the people of Maryland, the National Capital Region, and the nation. Bringing together the strengths and assets of UMD enables PROGRESS to advance cutting-edge research, scholarship, education and actionable gun violence prevention/intervention solutions. The initiative will promote equity and anti-racism by partnering with communities most impacted by gun violence. PROGRESS’ research

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<sup>1</sup> CDC WISQARS On-line Causes of Injury-Related Death Data Base, Violence-related Firearm Deaths; Both Sexes; All Ages; All Races and Ethnicity; US and Maryland; 2021.

methodology draws, analyzes, and applies data from three key sectors—public health, criminal-legal, and law enforcement.

## SCIENCE

Maryland’s ERPO Law, enacted in 2018, establishes statutory provisions that sets forth a process by which law enforcement, family members, and health care providers can petition the court to temporarily remove firearms from individuals who “pose an immediate and present danger of causing personal injury to the [themselves], the petitioner, or another by possessing a firearm” including behaving dangerously and are at elevated risk of suicide or inter/personal violence. This is an important law in Maryland’s armamentarium to help prevent the nightmare of gun violence. Scientifically assessing ERPO’s impact and effectiveness, as with any law, is essential.

Traditionally, the public health approach consisted of an “epidemiologic triangle - agent, host, environment” related to infectious disease. Data were analyzed to understand the interrelationship between the triangle elements in order to propose interventions to stop the spread of infectious diseases e.g., the COVID-19 pandemic.<sup>2,3</sup> The contemporary public health approach focuses on three scientific questions: What's the problem? (Assessment); What's the solution? (Action); and, What's the result? (Assurance). Answering these questions requires data and information to form an evidence-base for proffering a solution *and* the evidence-base for evaluating the effectiveness of the solution-outcome.<sup>4,5</sup> This scientific approach is a fundamental pillar of the research mission of an institution of higher learning.

## HUMAN SUBJECTS’ PROTECTIONS

Maintaining the highest standards of privacy and confidentiality for human subjects’ information is an essential safeguard of all university research protocols. Moreover human subjects’ protections are a fundamental responsibility of university institutional review boards (IRBs). Analysis of Maryland ERPO case record data would be subject to IRB approval and oversight. Researchers are accountable for abiding by an IRB-approved agreement for the collection and protection of research data that is usually de-identified, and breaches of confidentiality.

## SUMMARY

In summary, Senate Bill 905 will allow researchers to review court records related to petitions for Extreme Risk Protective Orders to enable study and evaluation of Maryland’s ERPO. The goal is to employ scientific rigor in assessing the effectiveness of Maryland’s ERPO law, including ways to improve it to prevent the tragedy of gun violence. Accordingly, the UMD PROGRESS initiative respectfully requests a **FAVORABLE** Committee report on SB 905. Thank you.

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<sup>2</sup> CDC. Lesson 1 Understanding the Epidemiologic Triangle through Infectious Disease. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.cdc.gov/healthyschools/bam/teachers/documents/epi\_1\_triangle.pdf

<sup>3</sup> Krämer A, Akmatov M, Kretzschmar M. Principles of Infectious Disease Epidemiology. Modern Infectious Disease Epidemiology. 2009 Jul 28:85–99. doi: 10.1007/978-0-387-93835-6\_5. PMID: PMC7178878.

<sup>4</sup> Institute of Medicine (U.S.) Committee for the Study of the Future of Public Health. The future of public health. Washington, DC: National Academies Press. https://www.ncbi.nlm.nih.gov/books/NBK218218/pdf/Bookshelf\_NBK218218.pdf. Published 1988.

<sup>5</sup> Perry, L. Assessment, Policy Development, and Assurance: Evolving the Core Functions of Public Health to Address Health Threats. December 23, 2023. https://doi.org/10.1016/j.focus.2023.100172