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Testimony of Ramya Swami, Manager, State Policy, Brady
Support for SB 905 [FAV]
Before the Maryland Senate Judicial Proceedings Committee
February 27, 2024

Chair Clippinger, Vice Chair Bartlett, and distinguished members of the Maryland House Judiciary Committee,

Founded in 1974, Brady works across Congress, courts, and communities, uniting gun owners and non-gun owners alike, to take action, not sides, and end America's gun violence epidemic. Brady today carries the name of Jim Brady, who was shot and severely injured in the assassination attempt on President Ronald Reagan. Jim and his wife, Sarah, led the fight to pass federal legislation requiring background checks for gun sales. Brady continues to uphold Jim and Sarah's legacy by uniting Americans from coast to coast, red and blue, young and old, liberal and conservative, to combat the epidemic of gun violence. **In furtherance of our goal to reduce firearm violence across Maryland, the Brady Campaign to Prevent Gun Violence is proud to support the passage of Senate Bill 905.** SB 905 adds an exception to Maryland's Extreme Risk Protective Orders (ERPOs) law's confidentiality clause, granting access to researchers affiliated with institutions of higher education who are conducting research.

Background on ERPOs

The epidemic of gun violence reaches communities in Maryland every day. Every 11 hours, someone in Maryland is killed by gun violence, with more than 785 Marylanders dying yearly from gun violence.¹ Brady supports SB 905 as it marks a meaningful strategy to improve access to data that can help this legislature address gun violence and save the lives of its constituents.

Extreme risk laws are evidence-based solutions currently enacted in 21 states and Washington D.C. that give certain loved ones and family members, law enforcement and the courts an avenue to prevent an individual in crisis from harming themselves or others by temporarily removing guns and prohibiting the purchase of other firearms.² These laws effectively target various forms of gun violence we see on a

¹ Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. *Web-based Injury Statistics Query and Reporting System (WISQARS)* [online]. (2005) [cited 2023 Feb. 2]. Available at: www.cdc.gov/injury/wisqars.

² The states which have adopted a form of this law include: California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Hawaii, Illinois, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Virginia, and Washington.

daily basis in the United States, including interpersonal violence, homicides, intimate partner violence, some unintentional shootings, and importantly suicide, the most common type of gun violence.

From 2017 to 2021, over 4,424 Marylanders lost their lives to guns - and over 35 percent of those deaths were suicide.³ When a firearm is involved in a suicide attempt, the result is most often fatal. Suicide attempts with a firearm result in death a staggering 85 percent of the time, compared to just three percent for other common methods, like intentional drug misuse.⁴ The presence of a gun turns what is frequently an impulsive act—that is usually not repeated if the person survives—into an almost always fatal act. People who choose a firearm over other methods typically do not have the opportunity or ability to summon help or reconsider. By temporarily removing firearms or making them more difficult to access for individuals in the midst of a crisis, those with suicidal ideation are more likely to survive and get a second chance at life. That second chance is critical: *the vast majority—about 90 percent—of people who make a suicide attempt and survive do not ultimately go on to die by suicide later in life.*⁵

Why This Bill is Needed

Current law already allows data access on ERPOs for court personnel, the respondent or counsel for the respondent, Maryland Department of Health, local mental health authorities, and law enforcement.⁶ This bill simply adds researchers to that list to allow for more in-depth analysis and evaluation of the law.

Almost all other ERPO states allow researchers access to petition and court records. And researchers in states who allow access to ERPO records have not and do not disclose personal, identifying information; confidentiality remains intact. Maryland is an anomaly regarding its confidentiality clause. Temporary access to ERPO petitions and data was provided in 2021 to Maryland researchers to support the Office of the Attorney General to complete a crime gun study, but the provision that allows that access will sunset at the end of this year.

Without this important data, researchers will be unable to effectively evaluate the implementation and equitable enforcement of ERPOs. Reliable and timely data is essential to combating gun violence.

Conclusion

The epidemic of gun violence, which includes the epidemic of gun suicide, requires a slate of solutions specifically tailored to address the intricacies and root causes of gun violence, for each and every community. The expanded access to ERPO data proposed in SB 905 must be part of the solution, as it will save lives in Maryland, and Brady strongly urges this Committee to submit a favorable report.

Sincerely,
Ramya Swami

³ Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. *Web-based Injury Statistics Query and Reporting System (WISQARS)* [online]. (2005) [cited 2024 Feb. 26]. Available at: www.cdc.gov/injury/wisqars. For the past 5 years which data is available (2017-2021), according to CDC's WISQARS (Web-based Injury Statistics Query and Reporting System) Minnesota firearms deaths from 2015-2020 totaled 2722. 2061 of those were firearm suicides.

⁴ Madeline Drexler, ed. *Guns & Suicide: The Hidden Toll*, Harvard Public Health Magazine of the Harvard T.H. Chan School of Public Health, Available at https://www.hsph.harvard.edu/magazine/magazine_article/guns-suicide/.

⁵ Harvard T.H. Chan School of Public Health, *Means Matter: Attempters' Longterm Survival*, Available at <https://www.hsph.harvard.edu/means-matter/means-matter/survival/>.

⁶ District Court of Maryland. (n.d.). *Extreme Risk Protective Orders*. <https://www.mdcourts.gov/district/ERPO#confidential>