
BILL NO: Senate Bill 185
TITLE: Maryland State Police Gun Center – Firearms Surrendered Under Final Protective Orders
COMMITTEE: Judicial Proceedings
HEARING DATE: February 7, 2023
POSITION: **SUPPORT**

Senate Bill 185 is a data collection bill that seeks to gain information regarding the surrendering of firearms pursuant to a final protective orders. Under current Maryland and federal law, firearms already *must* be surrendered to law enforcement by a respondent upon the issuance of a final protective order. This legislation does not change or expand upon this requirement. Rather, it would require data be collected regarding the gun surrender process.

The Women's Law Center of Maryland (WLC) represents hundreds of victims of domestic violence every year in final protective order hearings. Protective orders are one of the most important tools that victims of domestic violence use to enhance their safety. As a condition of every final protective order, the respondent is required to surrender any and all firearms to law enforcement. Yet our experience has proven to us that this is not always the case. 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. The WLC strongly supports this legislation as it will provide valuable information regarding the number of respondents actually surrendering firearms as ordered.

Following last year's creation of the Maryland State Police Gun Center, "a statewide firearms enforcement center for the tracking, screening, and vetting of all firearm crimes committed in the state," Senate Bill 185 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. SB 185 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 unchanged.* Senate Bill 185 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.

We cannot solve a problem when we cannot see it. This data is essential for providing a clear picture of how effective our current processes at keeping firearms out of the hands of respondents who should not have access to them. For all the foregoing reasons the Women's Law Center of Maryland, Inc. urges a favorable report on Senate Bill 185.

The Women's Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.