



February 26, 2024

The Honorable William C. Smith, Jr.
Senate Judicial Proceedings Committee
Miller Senate Office Building – 2 East
Annapolis, MD 21401

RE: Support with Amendment – SB 752: Firearms - Maryland Voluntary Do Not Sell Firearm Registry - Establishment

Dear Chairman Smith and Honorable Members of the Committee:

The Maryland Psychiatric Society (MPS) and the Washington Psychiatric Society (WPS) are state medical organizations whose physician members specialize in diagnosing, treating, and preventing mental illnesses, including substance use disorders. Formed more than sixty-five years ago to support the needs of psychiatrists and their patients, both organizations work to ensure available, accessible, and comprehensive quality mental health resources for all Maryland citizens; and strive through public education to dispel the stigma and discrimination of those suffering from a mental illness. As the district branches of the American Psychiatric Association covering the state of Maryland, MPS and WPS represent over 1000 psychiatrists and physicians currently in psychiatric training.

MPS/WPS supports with an amendment, Senate Bill 752: Firearms - Maryland Voluntary Do Not Sell Firearm Registry – Establishment (SB 752). A "Voluntary Do Not Sell Firearm Registry" is a list of individuals who voluntarily choose to have their names included in a database that informs firearms dealers not to sell firearms to them. MPS/WPS contend that such registries have the following beneficial effects on both the individual and society as a whole: ¹

- **Empowering individuals:** The registry allows individuals to choose not to own firearms and provides a means for them to make this choice known to firearms dealers.
- **Addressing mental health concerns:** The registry can help address mental health concerns by allowing individuals to opt out of firearms ownership if they have a history of mental health issues. Further, research suggests that reducing access to firearms may be a factor in reducing suicide rates. Studies have shown that access to firearms increases the risk of suicide, especially among individuals who are experiencing a crisis

¹ Before we discuss the benefits, it is important to note that a voluntary do not sell firearms registry is not a substitute for comprehensive background checks and other measures to prevent firearms from falling into the hands of individuals who are not legally allowed to possess them. However, it can be a useful supplement to these measures and help to further support responsible firearms ownership.

or are at high risk of suicide. By reducing access to firearms, a voluntary do not sell firearm registry could potentially help to reduce the number of suicides. While voluntary do not sell firearms registries are not a complete solution to the complex issue of suicide, it is a meaningful step.

- **Supporting responsible firearms ownership:** The registry can be seen as a tool for responsible firearms ownership, as it will reduce firearm access to those who believe they may be a danger to themselves or the community if they possess them.
- **Improved public safety:** By reducing the number of firearms that fall into the hands of individuals for whom it might be dangerous to possess them, the registry can help to reduce instances of gun violence and improve public safety.

Where SB 752 falls short is that it allows a person who places oneself on the Do Not Buy list to purchase a traditional long gun, meaning a rifle or shotgun. A 2020 study, Prevalence of Long Gun Use in Maryland Firearm Suicides², found that “[l]ong guns are used in a large proportion of Maryland firearm suicides, particularly in rural areas and disproportionately in youth suicides. Long guns must be considered as part of access to lethal means or policy strategies in efforts to reduce the burden of firearm suicide.” Thus, SB 752 would have absolutely no effect if the person prohibited from buying a handgun can simply buy a long gun from the same counter. Therefore, MPS/WPS suggest the following amendment:

On page 3, in lines 12 and 15, in each instance, strike the brackets.

On page 3, strike in their entirety lines 13 through 14.

On page 3, in line 13, strike “(16)”.

On page 3, after line 18, insert:

(C) A DEALER OR OTHER PERSON MAY NOT SELL, RENT, LOAN, OR TRANSFER A REGULATED FIREARM OR A LONG GUN TO A PURCHASER, LESSEE, BORROWER, OR TRANSFEREE WHO THE DEALER OR OTHER PERSON KNOWS OR HAS REASONABLE CAUSE TO BELIEVE IS REGISTERED ON THE MARYLAND VOLUNTARY DO NOT SELL FIREARM REGISTRY ESTABLISHED UNDER § 5-902 OF THIS TITLE.

In addition, the waiting period for the return of firearm access after placing oneself on the Do Not Buy list be extended from twenty-one (21) days to one hundred and eighty (180) days because future episodes which may put the petitioner or the community in danger include

² See <https://injepijournal.biomedcentral.com/articles/10.1186/s40621-019-0230-y>



depressive, manic, or psychotic episodes which generally last longer than twenty-one (21) days. The amendment is as follows:

On page 5, line 13, strike “21” and substitute “ 180”.

In addition, MPS/WPS would like to see the following abstract amendments considered by this honorable committee:

- **Mental Health Care Information.** Petitioners should be provided with resources to mental health care at the time of filing their petition. This could include information on Maryland 9-8-8 crisis hotline.
- **Data collection.** Accessible data that also respects the privacy of the petitioner should be made available to improve the implementation and efficacy of the law.

With the amendments mentioned above adopted, MPS/WPS ask this committee for a favorable report on SB 752. If you have any questions with regard to this testimony, please feel free to contact Thomas Tompsett Jr. at tommy.tompsett@mdlobbyist.com.

Respectfully submitted,
The Maryland Psychiatric Society and the Washington Psychiatric Society
Legislative Action Committee