

SHELLY HETTLEMAN
Legislative District 11
Baltimore County

Chair
Rules Committee

Budget and Taxation Committee

Subcommittees

Health and Human Services

Pensions



James Senate Office Building
11 Bladen Street, Room 203
Annapolis, Maryland 21401
410-841-3131 · 301-858-3131
800-492-7122 Ext. 3131
Shelly.Hettleman@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

TESTIMONY OF SENATOR SHELLY HETTLEMAN
SB 753 PUBLIC SAFETY - FIREARM BACKGROUND CHECKS, VICTIM NOTIFICATION
AND THE MARYLAND STATE POLICE GUN CENTER

Thousands of Marylanders experience intimate partner violence and trust our law enforcement to protect them from their abusers. Many survivors of abuse petition the court for protection from abuse, and are granted a civil protection order, where a court may also require an abuser to relinquish their firearm. Unfortunately, we do not have a process where law enforcement can notify a victim when a prohibited person attempts to legally purchase a firearm. **This bill would require Maryland State Police to notify the Maryland State Police Gun Center and subsequently local law enforcement and intimate partner violence survivors when an abuser attempts to purchase a gun and is denied by state background check systems.**

Firearm background checks are a critical step in preventing crime and protecting communities. According to the Maryland Network Against Domestic Violence, there were 58,000 domestic violence incidents reported to law enforcement and 58 deaths caused by domestic violence in 2021. Survivors are particularly vulnerable to violence when their abusers attempt to acquire a firearm. In fact, there have been several recent cases in which women were killed by their abusers, for whom they had protective orders, shortly after the abuser was denied a firearm via a background check by the federal or state systems. Think of the violence that could be prevented if a survivor could do appropriate safety planning after having knowledge that the abuser was seeking a firearm.

As a Partial Point of Contact state, Maryland operates some firearm background checks while the federal system, NICS, operates others. When a prohibited person attempts to legally purchase a firearm (5,000 times in Maryland over the past 3 years), the FBI notifies local enforcement who can investigate. According to Everytown, the national system, NICS, has denied more than 71,000 sales to abusers subject to a domestic violence restraining orders and 178,000 sales to domestic abusers convicted of misdemeanor crimes. Unfortunately, a similar system is not set up for state-regulated firearms.

This legislation would promote communication among state and local law enforcement, the Maryland State Police Gun Center, the FBI and federal law enforcement agencies when a prospective purchaser, lessee or transferee failed a background check by setting up systems for notification to local law enforcement and survivors with active protective orders.

This is an issue already being addressed in other parts of the country. The federal government passed the Violence Against Women Act reauthorization in 2022, requiring that NICS notify state, local or tribal law enforcement of rejected background checks within 24 hours. However,

since Maryland conducts some of our own background checks, all rejections do not get communicated to local authorities. According to Everytown, most other states with Partial Point of Contact have adopted explicit policies to require state officials to alert local officials to background check denials. Other states, including Washington, have additionally instituted notification systems to domestic abuse survivors directly, as we are proposing.

We have a number of amendments we are working on to fine tune the logistics of this program and believe that this system has the capability to save lives. We must do our best to protect survivors of intimate partner violence and in many cases, time is of the essence.