



# Maryland Chiefs of Police Association

## Maryland Sheriffs' Association



### MEMORANDUM

**TO:** The Honorable William Smith Jr., Chair and  
Members of the Senate Judicial Proceedings Committee

**FROM:** Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee  
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee  
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

**DATE:** February 27, 2024

**RE:** **SB 753 Public Safety – Firearm Background Checks, Victim Notification, and the Maryland State Police Gun Center**

**POSITION: LETTER OF INFORMATION**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) are providing this letter of information to the Judiciary Committee concerning SB 753.

This bill would establish a process whereby a victim who holds a final protective order is notified by law enforcement if the individual who is subject to the final protective order is denied from purchasing a firearm because of a background check.

The Department of State Police Licensing Division processes all firearm purchase or transfer applications. Under current law, when an applicant's firearm purchase application is denied, the applicant and dealer are notified, and all denials are sent to the Gun Center for further criminal investigation. Upon completion of the investigation, if further action is warranted, the case is sent to the Firearms Investigation Unit.

SB 753 would require the Gun Center to notify the local law enforcement agencies in the address and zip code of the firearms dealer as well as the law enforcement agencies in the address and zip code of the applicant of the denial by the Licensing Division within 24 hours. The notice includes personal identifying information (PII) as well as criminal record information and the legislation does not guide as to what the local police agency is supposed to do with the information other than a denial based on a protective order. Additionally, civil liability is created if the notice is not performed timely or the local agencies fail to provide notice to the victim as defined by SB 753.

Advocates anticipate the Victim Information & Notification Everyday (VINE) system being used to provide notification to the victim. However, VINE is a publicly accessible system that does not interact with the Gun Centers application and licensing system. Further complicating the matter is MSP and local law enforcement agencies use encryption programs for their secure communications that VINE does not use. Lastly, MSP does not maintain encryption programs to comply with each law enforcement agency's requirements. To comply with the requirements in SB 753, the MSP will have to develop an automatic notice upon denial so that the Gun Center and local law enforcement agencies are informed in an accurate and timely manner.

MCPA, MSA, and MSP have been meeting with the sponsor to discuss these issues and possible amendments. These discussions are ongoing.