

House Bill 1267: Public Safety – Extreme Risk Protective Orders – Review of Court Records
Judiciary Committee
March 6, 2024
Position: SUPPORT

My name is Eileen Zeller, MPH and I retired in 2018 after a career in suicide prevention and public health. In retirement I serve on the board of the Mental Health Association of Maryland, and I am past chair of the Governor’s Commission on Suicide Prevention. I spent the last ten years of my working life as Lead Public Health Advisor in the Suicide Prevention Branch of the federal government’s Substance Abuse and Mental Health Services Administration (SAMHSA).

Firearms are the most common method of suicide nationally and in Maryland and firearm suicide has reached an all-time high in Maryland. In 2020, 267 Marylanders used a gun to kill themselves—46% of all suicides. Each of these individuals represents a profound loss to their families, friends, and communities. They were members of every age group, race, ethnicity, and socio-economic background. Suicide was the second leading cause of death among 10- to 19-year-olds. Firearm suicide rates were highest among men, people living in rural communities, and for people over 80 and between ages 55-59.¹

Evidence suggests that Extreme Risk laws are effective tools for preventing firearm suicide. Researchers who analyzed data from a similar law in Indiana estimated that one suicide was prevented for every ten orders issued,² and that Connecticut’s law prevented one suicide for every 10 to 20 warrants issued.³ But we don’t yet know whether Maryland’s ERPO law is effective in preventing suicide.

We do know that petitions have been filed in all of Maryland’s 24 jurisdictions. But we need answers to some very basic suicide-related ERPO questions:

- Are people even filing ERPO petitions for suicidal behavior? (What number and percentage of ERPO petitions are filed for “danger to self” vs. “danger to others”?)
- Of authorized petitioners, who is filing for ERPOs? (What proportion of “danger to self” petitions are filed by law enforcement vs. family members vs. health care providers?)
- To what extent are judges granting suicide-related petitions at the temporary and final hearings?
- What are the geographic variations in need, usage, implementation, awareness, and training?

More broadly, we need to understand the Why behind the data so that we can take action to enhance the effectiveness of ERPO implementation and—ultimately—save more lives.

I urge a favorable report on HB1267.

¹ Governor’s Commission on Suicide Prevention. (2022). *Maryland Suicide Prevention Plan 2022-2024*. Maryland Department of Health.

² Swanson JW, et al. (2019) Criminal justice and suicide outcomes with Indiana’s risk-based gun seizure law. *Journal of the American Academy of Psychiatry and the Law Online*. <http://hdl.handle.net/1805/22638>.

³ Swanson JW, et al. (2017) Implementation and effectiveness of Connecticut’s risk-based gun removal law: Does it prevent suicides? *Law and Contemporary Problems*.