



BILL NO: House Bill 1050
TITLE: Family Law - Protective Orders - Surrender of Firearms
COMMITTEE: Judiciary
HEARING DATE: February 20, 2025
POSITION: Favorable with Amendments

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the COMMITTEE to favorably report on HB 1050 with amendments.**

House Bill 1050 is the result of the work of a workgroup comprised of organizations whose mission it is to reduce gun violence, and of which the MNADV was a member. Marylanders to Prevent Gun Violence and the workgroup issued a White Paper in late 2024 about gun violence and domestic violence.¹ From that work this bill arose. HB 1050 is an attempt to provide guidance to the courts and law enforcement on how to hold protection order respondents accountable to surrender their firearms if a protection order is issued against them. The White Paper is replete with data that shows that the link between domestic violence and guns is quite literally, deadly.

There are three major components to HB 1050. First, our protection order law (MD. Code Ann. FL Section 4-501 et seq.) already requires the mandatory surrender of firearms upon the grant of a final protection order. HB 1050 would expand that to a mandatory surrender of firearms at the interim and temporary protection order phase if court grants the order. We do wonder how a mandatory surrender of guns at the interim stage would work, given that the temporary order hearing is 24-48 hours after the interim is granted. It is logistically complex due to the hearing on the temporary order occurring so soon after the hearing on the interim order.

Second, House Bill 1050 creates a list of questions on the petition for protection from abuse. It is an expansive set of questions, and we laud the goal of learning everything possible about a respondent and their gun ownership, as well as reinforcing that the courts must take their

¹ https://mdpgv.org/wp-content/uploads/2024/11/A-Safe-Haven_Policy-Paper-November-2024-.pdf



responsibility to have respondents surrender guns seriously and ask *every* petitioner about guns. However, we have a grave concern that the extensive list of questions will look and seem overwhelming to petitioners. We fear the result will be petitioners giving up before they finish filling out the petition for protection, or in the alternative just saying “no, he/she has no guns” instead of having to fill in all the answers.

Working with the coalition of gun prevention and domestic violence advocates as well as the sponsors, we support proposed amendments that significantly lessen the number of questions. The amended language will appropriately protect survivors’ privacy and will not be so overwhelming as to discourage petitioners from filing for protection from domestic abuse. In our experience, the idea that a petitioner has anywhere near the amount of information seeking to be gathered by these questions is unrealistic at best, while the potential downside may be really detrimental to victim safety. We believe the amendment leaves the questions that address the real question - does he/she have guns? If so, do you know where they are or where he/she keeps them?

We also support a policy, whether by amending this bill or just in practice, for referral by the clerk, court, or magistrate for all petitioners to the domestic violence service provider in their jurisdiction. Some jurisdictions do this in the ordinary course in temporary protection order hearings, which are almost always ex parte.

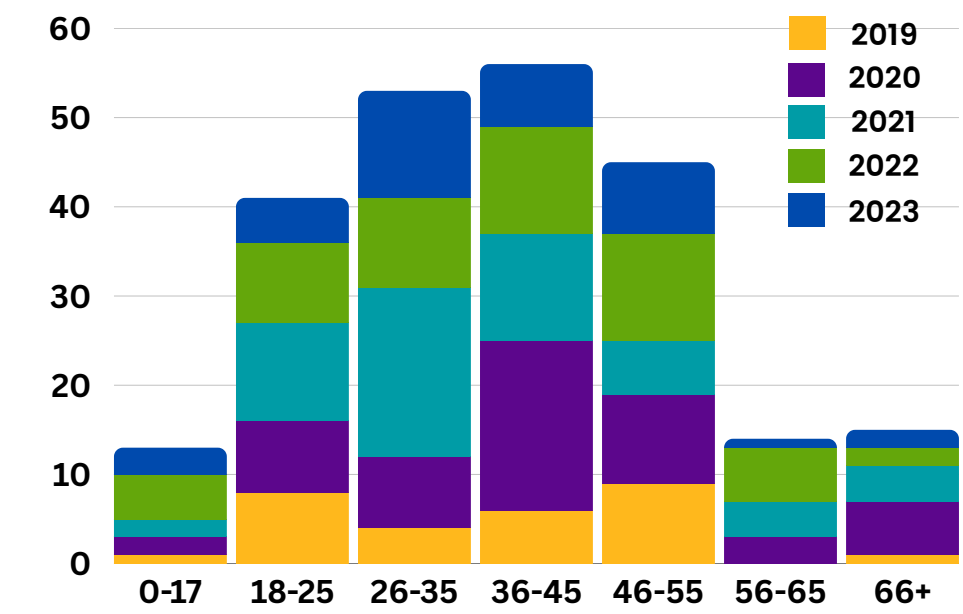
The third component of HB 1050 creates accountability for the respondent to comply with a court order and surrender their guns. It has timing requirements and well as requirements that the respondent certify to the court that he/she has surrendered their guns. It creates a mechanism to hold respondents accountable if they fail to surrender their guns within a certain amount of time and gives law enforcement or prosecutors power to pursue the surrender of the guns. The efforts to hold respondents accountable vary across jurisdictions, but **all petitioners deserve safety, and one of the most important ways to achieve that safety is removal of firearms from those who pose danger to the petitioner.**



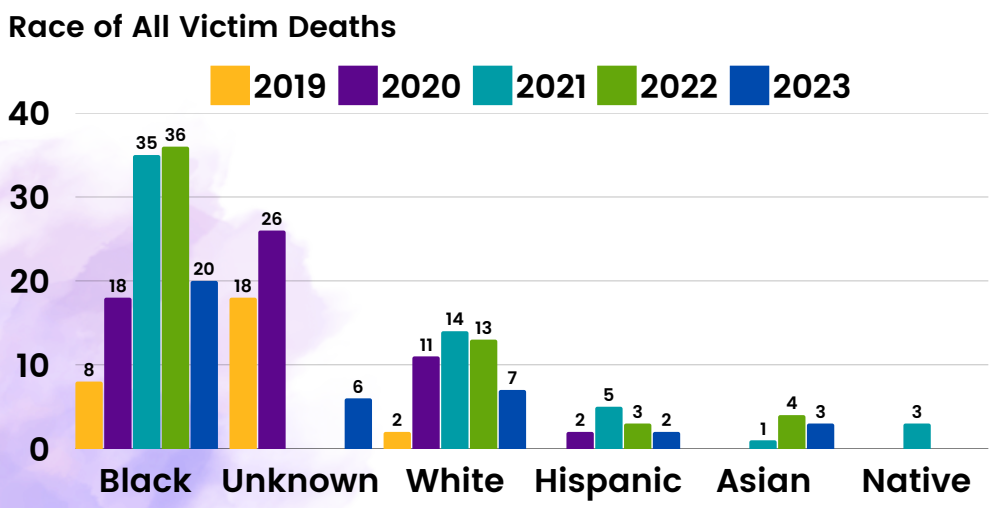
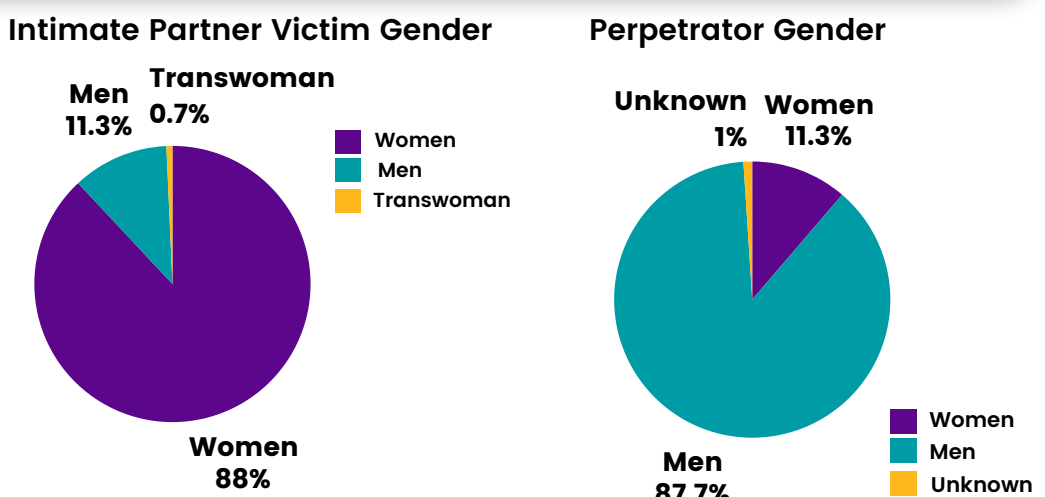
Attached to our testimony are charts with statistics about domestic violence homicides in Maryland from 2019-2023. From 2019-2023, of the 237 domestic violence homicides on our state, 75% were with the use of a gun.

For the above stated reasons, the **Maryland Network Against Domestic Violence** urges a **favorable report on HB 1050 with amendments.**

Age of Death



Gender and Racial Disparity



In the past 5 years,
237 Marylanders
lost their lives to domestic violence

Deaths by Category

YEARS	Bystander	Victim	Perpetrator	Unknown	DEATHS
2019	3	20	6	0	29
2020	3	38	11	4	56
2021	7	38	13	0	58
2022	16	27	13	0	56
2023	11	19	7	1	38
Total	40	142	50	5	237

This trifold was developed using information provided by the Maryland Network Against Domestic Violence (MNADV) through their tracking and verification efforts. MNADV collects and analyzes data on intimate partner violence homicides in Maryland annually to raise awareness and guide prevention initiatives. For further information about the data, please contact MNADV.



MARYLAND NETWORK AGAINST DOMESTIC VIOLENCE
WWW.MNADV.ORG

Questions? Email us at Info@MNADV.org

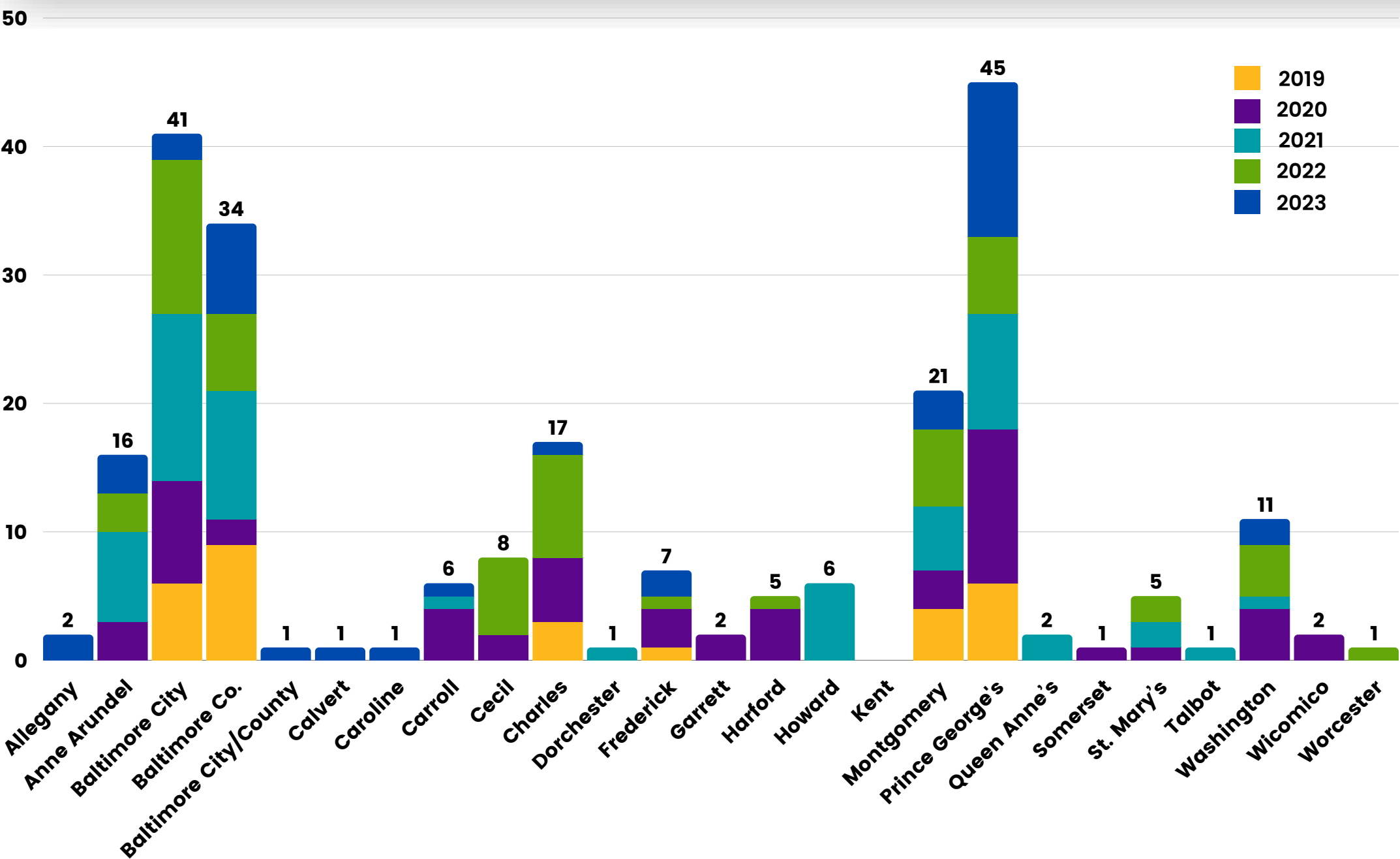


Five Years of
IPV Homicides
in Maryland:
Key Trends, Risk
Factors, and Insights

In Remembrance of the Lives Lost to
Domestic Violence in Maryland
January 1st, 2019 – December 31st, 2023

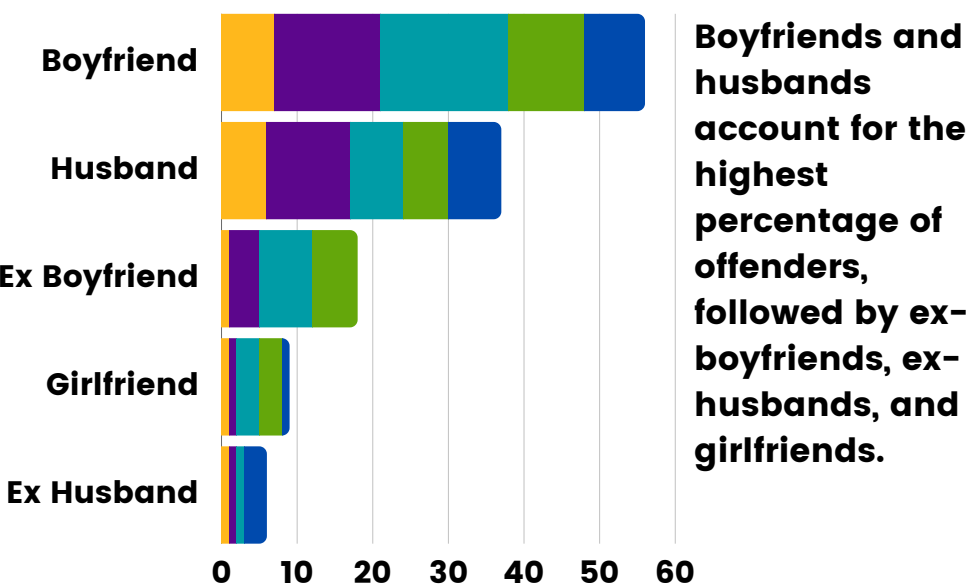


Maryland Domestic Violence Deaths by Jurisdiction

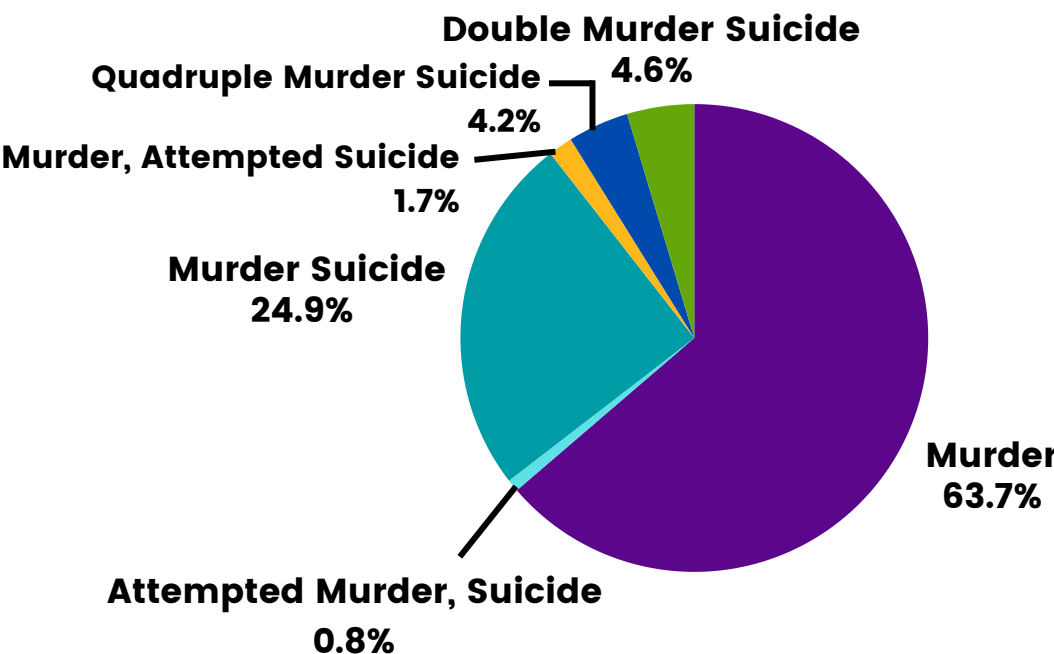


Understanding the Perpetrators

Offender Relationship (Top 5)



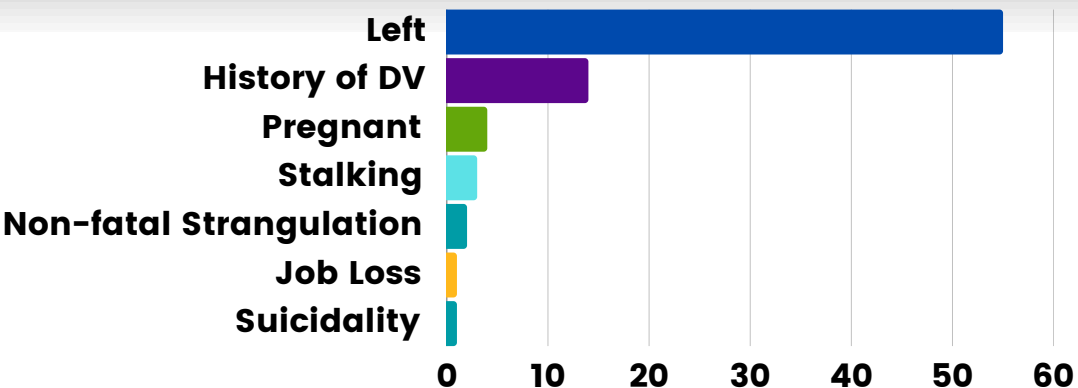
Murder Suicides



36% of IPV homicides in Maryland resulted in an attempted or completed suicide by the perpetrator.

Primary Lethality Factors

Of the 78 deaths with known lethality factors, 69% of those included people who had left the relationship already, 18% of the deaths had a perpetrator with a criminal or civil history of DV, and the remaining 14% involved non-fatal strangulation, pregnancy, stalking, job loss, or suicidality.



75% Guns were used in 75% all IPV-related deaths