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THE SENATE OF MARYLAND
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TESTIMONY OF SENATOR SHELLY HETTLEMAN
SB 20 - FAMILY AND LAW ENFORCEMENT PROTECTION ACT

GUN VIOLENCE AND DOMESTIC VIOLENCE

This bill is not just about policy, it is about saving lives. SB 20, the Family and Law Enforcement Protection Act, takes important steps to strengthen protections for domestic violence victims and law enforcement by ensuring that individuals subject to every stage of the protective order process are required to relinquish their firearms swiftly.

FACTS

- Domestic violence is a devastating and too often deadly circumstance that has affected nearly 1 in 3 women in their lifetimes, nationwide.¹ These dangerous situations are severely exacerbated when perpetrators of the violence have access to firearms, creating a deadly intersection of public health crises.
- The risk of homicide in a domestic violence incident increases by five times when an abuser has access to a gun.² Research also shows that more than half of intimate partner homicides against women, nationally are perpetrated with a firearm.³
- Research and survivor experience show that the period immediately after a victim seeks protection is often the most volatile and dangerous time for survivors.⁴ Often, this is when a Temporary Protective Order is put in place. In Maryland, respondents are required to relinquish firearms once a Final Protective Order is issued, but not during the temporary stage, which creates a critical window of risk.
- Other states, such as West Virginia, Colorado, and even North Carolina, have already closed this gap by requiring relinquishment at the TPO stage.⁵⁻⁷ Notably, the 2024 Supreme Court decision in *US v Rahimi* affirmed that such laws restricting abusers' access to firearms are permissible under the Second Amendment.⁸ SB 20 brings Maryland in line with these best practices.
- In 2022, 56 Marylanders lost their lives due to intimate partner violence. 75% of them were killed with a firearm.⁹ Without a robust, uniform process to ensure that abusers actually relinquish their firearms at *every* stage of the protective order process, survivors remain at risk. SB 20 closes these gaps.

WHAT SB 20 DOES

This proposed legislation strengthens firearm relinquishment requirements in protective order proceedings, ensuring compliance with existing laws and closing dangerous gaps that leave survivors at risk of escalating violence. This bill provides several critical, life-saving safeguards by:

1. **Strengthening firearm removal at every stage of the protective order process:**
 - a. **Interim Protective Orders:** Grants judges the discretion to order firearm surrender at the interim stage, aligning with Extreme Risk Protective Order (ERPO) provisions.
 - b. **Temporary Protective Orders:** Mandates firearm removal at the temporary order stage, which builds on current policy requiring mandatory removal at the final stage, to establish a layered safety net.
 - c. **Final Protective Orders:** Reinforces existing mandatory firearm surrender requirements.
2. **Establishing a clear and immediate relinquishment procedure:**
 - a. **Timeline for surrender:** Requires immediate firearm transfer when an individual is legally prohibited from possession, with a strict deadline of no more than 24 hours.
 - b. **Compliance Verification:** Mandates submission of a firearm transfer form to law enforcement within two business days to verify compliance.
 - c. **Screening Questions:** Requires the court to ask petitioners (victims) whether the respondent (abuser) possesses firearms during protective order hearings, equipping the court with critical information to assess danger and enforce removal.
3. **Improving Enforcement and Victim Notification:**
 - a. **Non-compliance protocols:** Establishes clear protocols for law enforcement intervention if a firearm is not surrendered within the required timeframe.
4. **Creates a task force on firearm relinquishment:**
 - a. Purpose: Evaluates the effectiveness of current firearm surrender procedures, identify enforcement gaps, and recommend improvements.

CONCLUSIONS

This legislation provides a proactive approach to mitigate the devastating impacts of domestic violence by closing dangerous enforcement gaps across Maryland's firearm relinquishment laws. By requiring immediate transfer of firearms, SB 20 will work to significantly reduce the risk that an abuser will use a firearm to harm, threaten, or kill their victims during volatile periods of domestic violence cases. It ensures compliance with existing protections throughout all stages of the protective order process and equips the courts and law enforcement with information regarding the abuser's possession of firearms.

The solution is not arming the victims.^{10,11} The solution is disarming abusers. Removing firearms from abusers saves lives. SB 20 offers Maryland a proven, life-saving solution to a far-too-common and deadly problem. Therefore, I urge a favorable report from the Judicial Proceedings Committee on SB 20, and I thank you for your consideration.

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