

GIFFORDS

January 15, 2026

Maryland Senate
Judicial Proceedings Committee

RE: Support for SB 20, the Family and Law Enforcement Protection Act

Dear Chairman and Members of the Committee,

GIFFORDS, the gun safety organization founded by former Congresswoman, gun owner, and gun violence survivor Gabby Giffords, strongly supports SB 20, the Family and Law Enforcement Protection Act, which will ensure not only that individuals with domestic violence protection orders against them are prohibited from possessing firearms, but that these people do *in fact* relinquish their guns while these orders are in effect.

Maryland law only permits judges to require a respondent to relinquish their firearms for the duration of a temporary domestic violence protective order if the respondent used or threatened to use a firearm against the petitioner, or threatened to or did in fact cause serious bodily harm to the petitioner, but *in no case* requires the judge to order relinquishment. Temporary orders may be extended up to six months before a final protective order is issued, leaving open a period of time where the respondent is still permitted to purchase and possess firearms, despite posing a serious risk to the petitioner.¹

This bill would require relinquishment, and would prohibit possession and purchase of firearms for the duration of all temporary DV protective orders. To grant a temporary order, the judge must find reasonable grounds to believe the petitioner, or other person eligible for relief, such as the respondent's child, has been abused.² An abusive partner's access to a firearm is a serious threat to victims of domestic violence, making it five times more likely that the victim will be killed.³ In 2023, guns were used to commit 75% of intimate partner homicides in Maryland.⁴ It's critical that domestic violence protective order respondents are prohibited from possessing firearms once a temporary protective order is imposed.

It's also not enough to simply order a respondent not to possess or purchase firearms, particularly when dealing with individuals who have been abusing an intimate partner. It's imperative to establish a process for law enforcement to ensure that respondents surrender firearms in their possession at the time a protective order is imposed. This bill requires respondents to surrender firearms to law enforcement within 24 hours of service of the order, or to provide documentation that they have recently sold or do not

¹ Md. Code Ann., Fam. Law § 4-505(c)(2).

² Md. Family Law Code Ann. 4-501(b)(1).

³ J.C. Campbell, et al., "Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study," *American Journal of Public Health* 93, no.7 (2003): 1089–1097.

⁴ 2023 DVFRSIT (Domestic Violence Fatality Review State Implementation Team) Report <https://www.mnadv.org/wp-content/uploads/2024/01/2023-DVFRSIT-ReportFinal.pdf> p. 13.

GIFFORDS

possess firearms. It also directs law enforcement to confirm that the respondent has complied, and if they have not, to take proactive steps to determine if the respondent is illegally in possession of firearms.

Contrary to prior criticism of this bill, it does not authorize law enforcement to search for or seize firearms in violation of the Fourth Amendment. While the bill directs law enforcement to proceed to a location where probable cause exists to believe a respondent's firearm may be located, it specifically refers to search warrants to seize firearms where necessary. The bill also complies with the Second Amendment, as recently outlined by the Supreme Court in *U.S. v. Rahimi*. In that case, the Court upheld the federal statute prohibiting firearm possession for individuals with domestic violence protective orders, stating that, "[w]hen an individual poses a clear threat of physical violence to another, the threatening individual may be disarmed." For a judge in Maryland to grant a temporary DV protective order, they must find that the petitioner, or someone eligible for relief, was abused. This is the *same* standard a judge must find to grant a final domestic violence protective order, which already carries a mandatory prohibition against firearm possession. It's clear that these individuals pose a threat of physical safety to another.

This bill is a significant step forward for survivors of domestic violence and will save lives. I urge a favorable report.

Sincerely,

A handwritten signature in black ink that reads "Erin Earp". The signature is written in a cursive, flowing style.

Senior Policy Attorney
Giffords Law Center