

**SB0020\_ArielleJuberg\_FAV.pdf**

Uploaded by: Arielle Juberg

Position: FAV

January 16, 2026

Dear Members of the Judicial Proceedings Committee,

I urge a favorable report on Senate Bill 0020, the Family and Law Enforcement Protection Act. I am a resident of District 8 and a volunteer with Marylanders to Prevent Gun Violence.

On September 2, 2025 one of my neighbors in District 8 was shot and killed in her home by a former partner. This neighbor lived within walking distance of my family; we pass the house every day. For a week after the murder, there were masses of balloons and flowers at the doorstep. Then, my neighbor's belongings were abandoned outside in a heap as the house was emptied and cleaned.

Domestic violence, fueled by easy access to firearms, devastated a family and deeply disturbed our neighborhood. I won't forget what it was like to drive past the house on September 3 and see distraught family and friends gathered outside. Seeing this neighbor's belongings sit abandoned outside was hurtful. Every time I drive past this house, I think about the horrible act. Neighbors and community members are also undoubtedly impacted each time someone is killed; each act of gun violence reverberates throughout our neighborhoods.

If the General Assembly had acted boldly and decisively, the Family and Law Enforcement Protection Act could have passed in the 2025 legislative session. *Would the legislation have prevented the murder of my neighbor?*

I am not willing to wait and see if another neighbor is killed through domestic violence and easy access to firearms. I urge a favorable report on SB 0020.

Thank you for your time, service, and consideration.

Sincerely,

Arielle Juberg  
3411 Upton Road  
Baltimore, MD 21234

# **SB 0020 Family and Law Enforcement Protection Act.**

Uploaded by: Catherine OMalley

Position: FAV

BILL NO: Senate Bill 0020  
TITLE: Family and Law Enforcement Protection Act  
COMMITTEE: Judicial Proceedings  
HEARING DATE: January 20, 2026  
POSITION: **SUPPORT**

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The Women's Law Center of Maryland is dedicated to ensuring the physical safety, economic security, and bodily autonomy of women throughout the State. The clients that we represent have all experienced intimate partner violence, and the reality and danger of gun violence is something that the staff and clients of the Women's Law Center must grapple with every day. We are submitting this testimony in memory of the clients we have lost to violent partners and their guns.

We strongly support Senate Bill 0020 and the enhanced provisions it provides for the enforcement of the surrendering of firearms by a respondent in a domestic violence statute. Currently, respondent's surrendering of their guns is dependent upon an honor system, in which the courts are forced to trust that someone who has committed acts of violence and is deemed so dangerous as to merit a protective order will suddenly become adherent to the law. Our clients and staff are regularly threatened by violent abusers, and due to the prevailing honor system for firearm surrenders, often live in fear knowing the respondents' have untethered access to guns.

Our last client who lost her life to an unsurrendered firearm was Megan Saunders, who was shot and killed by Devon Elias, against whom she had a protective order on September 14, 2023. Megan called the Women's Law Center almost every day – we helped her obtain her protective order and were representing her in securing custody of the former couple's four-year-old daughter. Megan was a wonderful mother, but she called us over and over again, very apologetically, because she was terrified of Elias as he kept saying threatening things about her to their daughter. She even moved to Pennsylvania to get away from him, but in the end he murdered her in her mom's home with two handguns. Our staff attorney was waiting for her to appear in court that morning, and she never came.

Guns are almost always an issue in securing consent in a protective order, and the respondents who do consent regularly lie about their gun ownership. We strongly support SB 0020's provisions for petitioner reporting of the respondent's firearms as well as the enforcement mechanisms introduced for both search warrants and mandated law enforcement engagement in the reclamation process.

Intimate partner violence and gun violence are inextricably linked, impacting millions of women, families, and communities across the country. Nearly half of all women murdered in the United States are killed by a current or former intimate partner, and more than half of these intimate partner homicides are by firearms, according to Johns Hopkins Bloomberg School of Public Health. Every month, an average of 76 U.S. women are shot and killed by their intimate partners and while the deadly intersection of guns and intimate partner violence affects all women, it has a disproportionate impact on Black and Indigenous women as well as women who are pregnant and postpartum (Everytown). We know the LGBTQ+ community and people with disabilities are also highly vulnerable to severe forms of relationship abuse, but there is alarmingly little data on the intersection of firearms and intimate partner violence among these populations because of underreporting of these incidents and failure to invest in research that disaggregates data to fully capture the extent of the problem.

While intimate partner violence involving guns is prevalent, research shows that federal and state policies that disrupt abusers' access to guns can save lives. For all these reasons we urge a favorable report on SB 0020.

*The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.*

**2026 SB 20 Written Testimony.pdf**

Uploaded by: Daniel Sagrera

Position: FAV



Testimony of Daniel Sagrera, State Policy Manager, Brady Campaign to Prevent Gun Violence  
Support for SB 20 Before the Senate Judicial Proceedings Committee

Dear Chair Smith, Vice-Chair Waldstreicher, and Distinguished Members of the Senate Judicial Proceedings Committee,

Founded in 1974, Brady works to change the law, change the industry, and change culture to free America from gun violence. Our organization today carries the name of Jim Brady, who was shot and severely injured in the assassination attempt on President Ronald Reagan. Jim and his wife, Sarah, led the fight to pass federal legislation requiring background checks for gun sales. Brady continues to uphold Jim and Sarah's legacy by uniting Americans across the country in the fight to prevent gun violence.

In that legacy, today we stand in support of SB 20, which would reduce the scourge of domestic violence in Maryland.

In 2022, domestic violence killed 56 Marylanders, and 75% of those deaths were from a firearm. This bill, the Family and Law Enforcement Protection Act, accomplishes two main, life-saving objectives.<sup>1</sup> SB 20 would require subjects of a protective order to relinquish their firearms early in the protective order process and create a standardized process for the relinquishment of firearms in both a standard and temporary protective order. It also addresses Law Enforcement's concerns by providing them clear guidelines on how to handle a firearm if the respondent does not want to reclaim the firearm after the order has ceased.

Given the proven nexus between domestic violence and firearms, the provision requiring a respondent to surrender firearms early in the process is incredibly important. Every 12 hours, someone is shot and killed by a current or former intimate partner.<sup>2</sup> The presence of a firearm in a domestic violence situation increases the risk of homicide by 500%.<sup>3</sup> The use of guns in

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<sup>1</sup> Maryland Network Against Domestic Violence. 2024. "2022-2023 MD-DVFRSIT Report." Maryland Domestic Violence Statistics. [https://www.canva.com/design/DAFt3ukicdU/RCdvgprSYiHmYhpjezrG9g/view?utm\\_content=DAFt3ukicdU&utm\\_campaign=designshare&utm\\_medium=link2&utm\\_source=uniquelinks&utlId=h469d072c39&kuid=3cb12f52-f638-4860-b7bb-47f0da724d6c-1768524729&kref=TIIn06wCfpzZa](https://www.canva.com/design/DAFt3ukicdU/RCdvgprSYiHmYhpjezrG9g/view?utm_content=DAFt3ukicdU&utm_campaign=designshare&utm_medium=link2&utm_source=uniquelinks&utlId=h469d072c39&kuid=3cb12f52-f638-4860-b7bb-47f0da724d6c-1768524729&kref=TIIn06wCfpzZa).

<sup>2</sup> Brady United. n.d. "Firearm Intimate Partner Homicides." <https://www.bradyunited.org/fact-sheets/intimate-partner-homicides-firearms-scotus>.

<sup>3</sup> Campbell, Jacquelyn C. et. al. 2003. "Risk factors for femicide in abusive relationships: results from a multisite case control study." *American Journal of Public Health* 93, no. 7 (July).

domestic violence homicides increases the risk of multiple victims by 70.9%.<sup>4</sup> In non-domestic violence homicides, this likelihood is increased by only 38.7%. Children are three times more likely to be shot at home from domestic violence incidents than at a school. As such, this measure would save not only direct victims and their families but also the greater public. In America, 60% of mass shooting events between 2014 and 2019 were either domestic violence attacks or perpetrated by those with a history of domestic violence.<sup>5</sup>

Brady is proud to support SB 20 because it will protect Marylanders from violence. For the reasons described above, Brady urges the Senate Judicial Proceedings Committee to support the passage of this lifesaving bill.

Sincerely,

Daniel Sagrera  
State Policy Manager  
The Brady Campaign to Prevent Gun Violence

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<sup>4</sup> Gold, Liza H. 2020. "Domestic Violence, Firearms, and Mass Shootings." *Journal of the American Academy of Psychiatry and the Law*, (Feb). 10.29158/JAAPL.003929-20. <https://jaapl.org/content/early/2020/02/05/JAAPL.003929-20>

<sup>5</sup> Gu, Jackie. 2020. "Deadliest Mass Shootings are Often Preceded by Violence at the Home." *Bloomberg*, June 30, 2020. <https://www.bloomberg.com/graphics/2020-mass-shootings-domestic-violence-connection/>.

# **SB20 Maryland State's Attorneys' Assoc.**

Uploaded by: Debbie Feinstein

Position: FAV

**Ivan Bates**  
President



**Kirsten N. Brown**  
Coordinator

Maryland State's Attorneys' Association  
3300 North Ridge Road, Suite 185  
Ellicott City, Maryland 21043  
[kbrown@mdsaa.org](mailto:kbrown@mdsaa.org) ~ 301-748-1312

January 19, 2026

The Honorable Will Smith  
Chair, Judicial Proceedings Committee  
11 Bladen Street  
Annapolis, MD 21401

Dear Chair Smith and Committee Members:

The Maryland State's Attorneys' Association (MSAA) offers this written testimony in support of Senate Bill 20—Family and Law Enforcement Protection Act. I am the Chief of the Special Victims' Division for the Montgomery County State's Attorney's Office, and co-chair, along with Deputy State's Attorney for Frederick County Joyce King, of the Maryland State's Attorney Association's Special Victims Legislative Committee. In my capacity as the Chief of SVD, I supervise and handle prosecutions related to domestic violence, including homicides, protective order violations, assaults, and firearms violations. I also chair the Montgomery County Domestic Violence Fatality Review Committee.

In 2024, 32 Maryland domestic violence victims of domestic violence were killed by an abusive current or ex-spouse or a current or ex-boyfriend. In 63% of those cases, the offender used a firearm. In 41% of those cases, the victim was in the process of leaving their spouse or boyfriend. Victims may seek a protective order at the time they are leaving their spouse or boyfriend.

There are current gaps in our law related to firearm surrender and protective order. Senate Bill 20 seeks to close those gaps. We would like to highlight several of the proposed changes to the law. Specifically, the proposed addition to Section 4-505 of the Family Law Article, which mandates that the temporary protective order shall order the respondent to surrender any firearm in their possession and any handgun license or permit to law enforcement authorities, will directly reduce the lethal risk to a victim seeking a protective order. The proposed additions to sections 4-506 and 4-506.1 set forth requirements not only to surrender firearms, but also handgun licenses and permits, and set up a 24 hour timeline for such surrender. Moreover, the proposed additions authorize local law enforcement to seek a search warrant to remove firearms (like our extreme risk protective order laws). Establishing a timeline for firearms surrender, including handgun license and permits, and creating authority for search warrants, all enhance victim safety and decrease lethality risks.

The MSAA urges this Committee to issue a favorable report.

Sincerely,

A handwritten signature in black ink, appearing to read "Debbie Feinstein", with a long, sweeping horizontal line extending to the right.

Debbie Feinstein  
Co-Chair, MSSA Special Victims Subcommittee

# **Support SB 20- Family and Law Enforcement Act- Deb**

Uploaded by: Deborah Lattimer, MSSW, MPH

Position: FAV



# Unitarian Universalist Legislative Ministry of Maryland

## Testimony in Support of SB 20- Family and Law Enforcement Protection Act

To: Senator Will Smith, Jr., Chair and  
Members of the Judicial Proceedings Committee  
From: Deborah Lattimer, MSSW, MPH, Lead Advocate, Gun Violence Prevention  
Unitarian Universalist Legislative Ministry of Maryland.  
Date: January 20, 2025

Unitarian Universalists recognize the need for safety from gun violence in domestic violence situations. We have a moral obligation and responsibility to lower the risk of gun violence to family members—and the risk can be greatest shortly after a protective order is issued. In Maryland, a gun is used in 74% of domestic violence deaths. That is why we support **SB 20 - Family and Law Enforcement Protection Act**.

In order to protect the family members who are leaving:

- There must be standard procedures for the respondent to surrender firearms to law enforcement officials.
- The respondent must surrender firearms at the onset of the initial protective order.
- The respondent must refrain from possession of ANY firearm for the duration of the interim protective order.

**SB 20** provides reasonable and standard measures to ensure that the respondent fully complies with the protective orders to surrender any and all firearms. The standards also authorize law enforcement authorities to search for firearms with probable cause and without the respondent's presence.

We urge you to vote for **SB 20**. We ask you to stand on the side of love and justice. We believe that these provisions will strengthen public safety in Maryland.

We urge a favorable report.

Thank you,

*Deborah Lattimer*

*Gun Violence Prevention Lead Advocate*

# **SB 20 - FAV - House of Ruth.pdf**

Uploaded by: Deena Hausner

Position: FAV



# House of Ruth Maryland

## Domestic Violence Legal Clinic

2201 Argonne Drive, Baltimore, Maryland 21218

(410) 554-8463 • Fax: (410) 243-3014 • [www.hruth.org](http://www.hruth.org) • [legal@hruthmd.org](mailto:legal@hruthmd.org)

Toll Free: 1-888-880-7884 • Maryland Relay: 711

Bill No.: Senate Bill 20  
Bill Title: Family and Law Enforcement Protection Act  
Committee: Judicial Proceedings  
Hearing Date: January 20, 2026  
Position: **FAV**

House of Ruth is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. House of Ruth has offices in Baltimore City, Baltimore County, Prince George's County, and Montgomery County. Senate Bill 20 would broaden the circumstances under which respondents in protective order cases are required to surrender firearms. **We urge the Senate Judicial Proceedings Committee to favorably report on Senate Bill 20.**

Currently, the protective order statute requires respondents to surrender firearms after issuance of a final protective order. Courts may order a respondent to surrender firearms at the temporary protective order stage under certain circumstances and in the discretion of the judge. Senate Bill 20 would expand the current law to require surrender of firearms upon issuance of any temporary protective order.

Research shows that an abuser's possession of a firearm is a strong risk factor contributing to the likelihood of a domestic violence victim's death or serious bodily injury. Dr. Jacquelyn Campbell of Johns Hopkins University conducted an intimate partner femicide study. She studied factors increasing the risk of intimate partner homicide and near homicide in ten cities around the country. Dr. Campbell's research concluded that the **perpetrator having access to a gun increased the victim's odds for being killed almost 5 ½ times** over other victims.

Victims of domestic violence are at increased risk of harm immediately after separating from their abusive partners. Expanding the protective order statute to require surrender of firearms at the temporary stage will provide important protection for victims.

**The House of Ruth urges the Senate Judicial Proceedings Committee to report favorably on Senate Bill 20.**

# Untitled document (1).pdf

Uploaded by: Douglas Jarrett

Position: FAV

## **SB20 Family and Law Enforcement Protection Act**

This bill modifies existing law on Domestic Violence Protective Orders (DVPOs) to ensure that upon the grant of a temporary protective order the aggressor in the relationship that owns firearms must surrender his firearms. Presently, judges are not obligated to require aggressive spouses to surrender their firearms when issuing a temporary DVPO. Among the startling facts is that 74% of deaths in DV disputes are attributable to the aggressor spouse using a firearm to kill his spouse/partner.

I respectfully urge the Committee vote in favor of the bill to ensure consideration by the full Senate.

Respectfully,

Charles Douglas Jarrett  
4603 Somerset Lane  
Ellicott City, MD 21042  
cdjarrettesq@gmail.com

# **SB20-Zeller-Support.pdf**

Uploaded by: Eileen Zeller

Position: FAV

**Senate Bill 20: Family and Law Enforcement Protection Act**  
**Senate Judicial Proceedings**  
**January 20, 2026**  
**Position: SUPPORT**

Dear Chairman Smith, Vice-Chair Waldstreicher, and members of the committee,

My name is Eileen Zeller. I live in Clarksville (District 9) and volunteer with the Howard County Local Group of the Maryland Chapter of Moms Demand Action. I am writing in support of SB 20.

I'd like to make two points.

First, this bill is supported by law enforcement, domestic violence organizations, and gun violence prevention organizations, all of which contributed to its drafting.

Second, as you know, the period immediately after a temporary protective order is issued is extremely dangerous, with a high risk of retaliation or escalation. Courts do not issue domestic violence protective orders casually. Even temporary orders require sworn testimony, judicial review, and a finding that harm or threats are credible enough to warrant immediate protection. If the risk is serious enough to restrict contact, it is serious enough to restrict access to lethal weapons without delay.

I urge a favorable report for SB20.

Thank you for your consideration.

Sincerely,

Eileen Zeller  
Clarksville (District 9)

**CFW SB 0200 - SUPPORT.pdf**

Uploaded by: Elizabeth Richards

Position: FAV



## MONTGOMERY COUNTY COMMISSION FOR WOMEN

January 20, 2026

Senator William C. Smith, Jr.  
Chair, Judicial Proceedings Committee  
2 East Miller Senate Office Building  
Annapolis, MD 21401

RE: SB 0020 Family and Law Enforcement Protection Act

Position: **SUPPORT**

Dear Chairperson Smith, and members of the Senate Judicial Proceedings Committee,

On behalf of the Montgomery County Commission for Women, I am writing to ask for your support of SB 0020 — Family and Law Enforcement Protection Act. In 2023, 38 women were murdered with a firearm by their partners within the state of Maryland.<sup>1</sup> This statistic aligns with national data that indicates one in three women experience intimate partner violence within their lifetime, with 4.5 million women reporting they have been threatened by their partner with a gun.<sup>2,3</sup> The presence of a firearm in an intimate partner violence case increases the risk that the woman will be killed by five times.<sup>4</sup> Given the risks posed by firearms in intimate partner violence situations, it is imperative that the state has a clear process for the relinquishment of the firearm and strong mechanism for enforcement. This bill closes gaps in the current protective order law by ensuring firearms are relinquished or removed from perpetrators.

Montgomery County Commission for Women advocates for legislation that promotes the equal and full participation of women and girls in every aspect of community living and access to education, healthcare, and work advancement with political and economic power. Women are disproportionately victimized by intimate partner violence, and cannot achieve their full potential when their physical safety is threatened by their current or former partner.

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<sup>1</sup> Herren, K. (2024, November 23). Stop silencing survivors [conference presentation]. Maryland Legislative Agenda for Women. Columbia, MD, United States. <chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://mdlegagendaforwomen.org/wp-content/uploads/2024/11/2024-merged-proposal-packet-for-web.pdf>

<sup>2</sup> Herren, K. (2024, November 23). Stop silencing survivors [conference presentation]. Maryland Legislative Agenda for Women. Columbia, MD, United States. <chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://mdlegagendaforwomen.org/wp-content/uploads/2024/11/2024-merged-proposal-packet-for-web.pdf>

<sup>3</sup> Maryland Legislative Agenda for Women (MLAW). (2024, November 23). MLAW fall agenda conference. [chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://mdlegagendaforwomen.org/wp-content/uploads/2024/11/2024-merged-proposal-packet-for web.pdf](chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://mdlegagendaforwomen.org/wp-content/uploads/2024/11/2024-merged-proposal-packet-for-web.pdf)

<sup>4</sup> Maryland Legislative Agenda for Women (MLAW). (2024, November 23). MLAW fall agenda conference. [chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://mdlegagendaforwomen.org/wp-content/uploads/2024/11/2024-merged-proposal-packet-for web.pdf](chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://mdlegagendaforwomen.org/wp-content/uploads/2024/11/2024-merged-proposal-packet-for-web.pdf)

Therefore, I urge a favorable report on SB 0200 on behalf of the Montgomery County Commission for Women.

Sincerely,

Commissioner Elizabeth Richards  
Chair, Policy & Legislative Committee  
Montgomery County Commission for Women

# **Spencer Cantrell, JD - Testimony (SB 20 - 2026 Fam**

Uploaded by: Emily Walsh

Position: FAV

**TO:** The Honorable **Chair** Smith, **Vice Chair** Waldstreicher, and members of the Judicial Proceedings Committee

**FROM:** Spencer Cantrell, JD  
*Assistant Scientist, Johns Hopkins Center for Gun Violence Solutions*

**DATE:** January 16, 2026

**RE:** SB 20 Family and Law Enforcement Protection Act

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My name is Spencer Cantrell, and I am an Assistant Scientist at the Johns Hopkins Center for Gun Violence Solutions. **This testimony represents my strong support of SB 20 Family and Law Enforcement Protection Act- a critical bill that will improve the court’s ability to ensure protection for victims and survivors of domestic violence by strengthening firearm surrender provisions in protective order cases.**

Prior to joining the Johns Hopkins Bloomberg School of Public Health, I spent most of my professional career working in support of victims and survivors of domestic violence. Firearms were a common challenge in my work with clients as an attorney and victim advocate. Clients were too often threatened by their abuser with a firearm. The known presence of a firearm in the home or an abuser’s access to a firearm often shaped my client’s safety planning, from thinking of leaving their abuser and for years on, as some victims/ survivors would continue to co-parent with their abusers for years to come. Some clients who I have not seen in years are people I think of frequently: a client whose abuser was in law enforcement, and so when she called the authorities, they dismissed her concerns and would not take a report. I remember another client who was impoverished and too afraid to file for child support because her abuser, the father of her child, had threatened to kill her and her children with a firearm if she ever took him to court for any reason. I’ll never forget safety planning with my client, who was nine months pregnant, about what she would do if the abuser showed up to the maternity ward with a firearm. The challenges and fears of an abuser with firearms were an unfortunate common throughline in this work.

The research on the impact of firearms in domestic violence is consistent with what I saw in my work with individual victims and survivors and overwhelmingly shows the importance of consistently removing firearms from domestic violence abusers. Research shows that nearly half

1. Tobin-Tyler E. Intimate Partner Violence, Firearm Injuries and Homicides: A Health Justice Approach to Two Intersecting Public Health Crises. *J Law Med Ethics*. 51(1):64-76. doi:10.1017/jme.2023.41
2. 2022-2023 Domestic Violence Fatality Review State Implementation Team (DVFRSIT) Report. <https://www.mnadv.org/wp-content/uploads/2024/01/2023-DVFRSIT-ReportFinal.pdf>
3. Zeoli AM, McCourt A, Buggs S, Frattaroli S, Lilley D, Webster DW. Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Associations With Intimate Partner Homicide. *Am J Epidemiol*. 2018;187(11):2365-2371. doi:10.1093/aje/kwy174
4. The role of domestic violence in fatal mass shootings in the United States, 2014–2019 | *Injury Epidemiology* | <https://injejournal.biomedcentral.com/articles/10.1186/s40621-021-00330>
5. Improving the Response to Firearms in Civil-Protection Order Cases. <https://bwjip.org/wp-content/uploads/2022/08/Improving-the-Response-to-Firearms-in-Civil-Protection-Order-Cases.pdf>
6. Removing Guns From Batterers. doi:10.1177/1077801213490561
7. Can Justice System Interventions Prevent Intimate Partner Homicide? An Analysis of Rates of Help Seeking Prior to Fatality. doi:10.1177/0886260519851179

of all female homicide victims in the U.S. are killed by current or former intimate partners.<sup>1</sup> In 2022, 56 Marylanders—ranging in age from 1 to 67 years old—lost their lives in domestic violence-related incidents.<sup>2</sup> Of these fatalities, 75% of all domestic violence homicides involved a firearm.<sup>2</sup> Domestic violence affects more than the victims of abusive relationships; many of Maryland’s domestic violence deaths were bystanders killed in shootings, and 30 children were left behind by victims of domestic violence in 2022.<sup>3</sup> Domestic violence has ripple effects on entire communities. We also know that most mass shooters have a history of committing domestic violence.<sup>4</sup>

The problem is more than clear. However, there are concrete, definitive steps that we can take to make victims of domestic violence and our entire communities much safer. Domestic violence protective orders that require firearm removal are associated with a 12% reduction in intimate partner homicide and a 16% reduction in firearm intimate partner homicide.<sup>3</sup> When domestic violence protective orders firearm restrictions cover ex parte orders, not just final protective orders, there is a 13% reduction in intimate partner homicide and a 16% reduction in firearm intimate partner homicide.<sup>4</sup> Firearm removal is widely supported by domestic violence experts, advocates, law enforcement, and the public, including the International Association of Chiefs of Police, which made the official recommendation to mandate the removal of firearms when serving a DVPO.<sup>6</sup>

Under current law, gaps in enforcement mechanisms create dangerous loopholes that allow abusers to maintain access to firearms even after a protective order is issued. SB 20 closes these gaps by:

- **Mandating the surrender of firearms** for respondents subject to both temporary and final protective orders, ensuring immediate risk reduction.<sup>5</sup>
- **Providing clear protocols** for judges and prosecutors to track compliance, issue contempt orders, and take action against respondents who have not surrendered their firearms.<sup>5</sup>
- **Enhancing inter-agency coordination**, ensuring law enforcement, judicial officials, and victim service providers effectively communicate and share critical information.<sup>5</sup>

Removing firearms from domestic violence incidents is not just a precaution—it is a proven, life-saving intervention. This bill ensures that Maryland is doing everything possible to prevent tragedies before they occur.

By requiring courts to obtain and act on firearm access information, SB 20 proactively reduces the risk of domestic violence incidents involving guns.<sup>7</sup> This measure helps prevent homicides,

1. Tobin-Tyler E. Intimate Partner Violence, Firearm Injuries and Homicides: A Health Justice Approach to Two Intersecting Public Health Crises. *J Law Med Ethics*. 51(1):64-76. doi:10.1017/jme.2023.41

2. 2022-2023 Domestic Violence Fatality Review State Implementation Team (DVFRSIT) Report. <https://www.mnadv.org/wp-content/uploads/2024/01/2023-DVFRSIT-ReportFinal.pdf>

3. Zeoli AM, McCourt A, Buggs S, Frattaroli S, Lilley D, Webster DW. Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Associations With Intimate Partner Homicide. *Am J Epidemiol*. 2018;187(11):2365-2371. doi:10.1093/aje/kwy174

4. The role of domestic violence in fatal mass shootings in the United States, 2014–2019 | *Injury Epidemiology* | <https://injejournal.biomedcentral.com/articles/10.1186/s40621-021-00330>

5. Improving the Response to Firearms in Civil-Protection Order Cases. <https://bwjip.org/wp-content/uploads/2022/08/Improving-the-Response-to-Firearms-in-Civil-Protection-Order-Cases.pdf>

6. Removing Guns From Batterers. doi:10.1177/1077801213490561

7. Can Justice System Interventions Prevent Intimate Partner Homicide? An Analysis of Rates of Help Seeking Prior to Fatality. doi:10.1177/0886260519851179

injuries, and escalating violence, ultimately saving lives. Consistently documenting firearm possession creates a clear legal pathway for removing guns from individuals who pose a threat, closing dangerous enforcement gaps that might otherwise allow abusers to retain access to deadly weapons.

Accordingly, I respectfully request a **FAVORABLE** committee report on **SB 20**.

1. Tobin-Tyler E. Intimate Partner Violence, Firearm Injuries and Homicides: A Health Justice Approach to Two Intersecting Public Health Crises. *J Law Med Ethics*. 51(1):64-76. doi:10.1017/jme.2023.41
2. 2022-2023 Domestic Violence Fatality Review State Implementation Team (DVFRSIT) Report. <https://www.mnadv.org/wp-content/uploads/2024/01/2023-DVFRSIT-ReportFinal.pdf>
3. Zeoli AM, McCourt A, Buggs S, Frattaroli S, Lilley D, Webster DW. Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Associations With Intimate Partner Homicide. *Am J Epidemiol*. 2018;187(11):2365-2371. doi:10.1093/aje/kwy174
4. The role of domestic violence in fatal mass shootings in the United States, 2014–2019 | *Injury Epidemiology* | <https://injejournal.biomedcentral.com/articles/10.1186/s40621-021-00330>
5. Improving the Response to Firearms in Civil-Protection Order Cases. <https://bwjip.org/wp-content/uploads/2022/08/Improving-the-Response-to-Firearms-in-Civil-Protection-Order-Cases.pdf>
6. Removing Guns From Batterers. doi:10.1177/1077801213490561
7. Can Justice System Interventions Prevent Intimate Partner Homicide? An Analysis of Rates of Help Seeking Prior to Fatality. doi:10.1177/0886260519851179

# **GIFFORDS in Support of SB20.pdf**

Uploaded by: Erin Earp

Position: FAV

# 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.<sup>1</sup>

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.<sup>2</sup> 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.<sup>3</sup> In 2023, guns were used to commit 75% of intimate partner homicides in Maryland.<sup>4</sup> 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

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

<sup>2</sup> Md. Family Law Code Ann. 4-501(b)(1).

<sup>3</sup> 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.

<sup>4</sup> 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,

The image shows 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

# **FLEPA 2026 - Testimony-2.pdf**

Uploaded by: Karen Herren

Position: FAV



**Testimony in Support of the  
Family & Law Enforcement Protection Act  
Senate Bill 20 / House Bill 83  
Karen Herren, Executive Director**

January 20, 2026

Marylanders to Prevent Gun Violence (MPGV) is a statewide organization dedicated to reducing gun deaths and injuries through evidence-based policy, public education, and survivor-centered prevention strategies. We strongly support **SB 20 / HB 83**, the *Family and Law Enforcement Protection Act*.

**The Problem: Domestic Violence + Firearm Access Is Lethal**

Domestic violence often escalates over time. When firearms are present, that escalation is far more likely to end in death. Firearms are used in a significant share of intimate partner homicides, and the period surrounding the issuance of a protective order is widely recognized as one of the most dangerous moments for victims and their families<sup>1</sup>.

In Maryland, domestic violence continues to claim dozens of lives each year. Between 2019 and 2023, an average of approximately 47 people per year were killed as a result of domestic violence. In 2023 alone, at least 32 Maryland children were left without one or both parents due to domestic-violence-related fatalities<sup>2</sup>.

The most recent year underscores the urgency of action. In 2025, Maryland experienced at least 40 domestic-violence-related firearm incidents, resulting in at least 39 deaths. These tragedies occurred across legislative districts and communities throughout the state<sup>3</sup>, including:

**District 18:** A 47-year-old woman was shot and killed after being ambushed outside her home by her ex-partner.

**District 20:** A 22-year-old man was shot and killed by a 20-year-old relative.

**District 26:** A 25-year-old man shot and killed his 45-year-old mother.

**District 30:** An 18-year-old was shot and injured by his girlfriend's adult son.

**District 34:** A 64-year-old woman was shot and killed by her 66-year-old husband.

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<sup>1</sup> Jacquelyn 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 (July 1, 2003): pp. 1089-1097. <https://doi.org/10.2105/AJPH.93.7.1089>

<sup>2</sup> MNADV's 2022-2023 [MD-DVFRSIT Report](#)

<sup>3</sup> <https://www.gunviolencearchive.org/query/796b8403-c412-4cfb-9cca-dbee4948df7f>



**District 42:** A 65-year-old man killed his 69-year-old ex-wife.

**District 44A:** A 42-year-old woman and a 6-year-old child were shot and killed by a 43-year-old man in an incident classified as a “family annihilation.”

**District 44B:** A 46-year-old man was shot and killed by his 42-year-old partner.

These incidents are not isolated. They reflect a persistent reality in Maryland: domestic violence can escalate quickly, and when firearms are involved, the likelihood of a fatal outcome increases, sometimes in a matter of minutes. That is why policies that reduce firearm access during periods of elevated risk are a critical component of domestic gun violence prevention.

### **Why Current Law Falls Short**

Federal law prohibits firearm possession by individuals subject to certain domestic violence protective orders, but it does **not** require firearm removal at the temporary or interim stages. As a result, states must fill this gap if protective orders are to function as meaningful, life-saving interventions.

Many states already do. At least 13 states require firearm prohibition and removal at the temporary protective order stage, and many of these laws have been in place for decades. These states span the political spectrum and demonstrate that early firearm relinquishment is both workable and effective<sup>4</sup>.

Maryland law, however, falls short in critical ways.

While Maryland prohibits firearm possession by respondents subject to certain final protective orders, it does not consistently require firearm prohibition and surrender during the temporary phase, even though that period is widely recognized as one of heightened danger. Prohibition alone is not enough. Without clear, enforceable, and timely relinquishment procedures, firearms often remain in the hands of individuals who have already demonstrated dangerous behavior.

Key gaps in Maryland’s current Domestic Violence Protective Order (DVPO) framework include:

- **Delayed surrender requirements:** Firearms may remain accessible until a final protective order is issued, despite the heightened risk immediately following service of a temporary order.
- **Insufficient information early in proceedings:** Judges and Commissioners often lack critical facts at the interim and temporary stages needed to assess firearm access and order surrender when it matters most.
- **Overreliance on victims:** Petitioners, often traumatized, fearful, or unrepresented, are expected to know what information to provide to trigger firearm removal.

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<sup>4</sup> See chart at the end of this document for more information.



- **Weak verification and follow-up:** Courts and law enforcement lack consistent mechanisms to verify compliance or respond when firearms are not surrendered, allowing prohibited individuals to remain armed.

A robust body of research shows that removing firearms during domestic violence interventions significantly reduces the risk of intimate partner homicide, particularly during periods of separation and court involvement<sup>5</sup>.

## The Solution: SB 20 / HB 83

### The Family and Law Enforcement Protection Act

SB 20 / HB 83 addresses these gaps by strengthening Maryland's DVPO firearm relinquishment framework in a targeted, practical, and survivor-centered manner.

This legislation:

- **Closes the federal law gap** by ensuring firearm surrender requirements apply at the temporary protective order stage, when a court has already determined that immediate protection is necessary.
- **Aligns firearm surrender with the protective order itself**, recognizing that if the court finds sufficient risk to issue immediate protection, that same finding justifies immediate firearm compliance.
- **Creates clearer, more enforceable orders**, providing law enforcement with the information needed to determine whether additional steps are appropriate.
- **Improves clarity and compliance for respondents**, reducing confusion about legal obligations and how to lawfully surrender firearms.
- **Strengthens petitioner safety beyond the order itself** by requiring that petitioners receive information about safety planning and available support resources.
- **Establishes processes for accountability and verification**, enabling courts and law enforcement to confirm compliance and respond when surrender does not occur.

This bill does not expand the categories of individuals prohibited from possessing firearms. Instead, it ensures that existing protections operate as intended, during the moments when they are most likely to save lives.

## Conclusion

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<sup>5</sup> April M Zeoli, Alexander McCourt, Shani Buggs, Shannon Frattaroli, David Lilley, Daniel W Webster, Retracted: Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Associations With Intimate Partner Homicide, *American Journal of Epidemiology*, Volume 187, Issue 7, July 2018, Pages 1449–1455, <https://doi.org/10.1093/aje/kwx362>

[Domestic violence protective orders are effective in reducing homicides, study finds | University of Michigan News](#)



Protective orders are intended to save lives. They cannot do so if individuals who pose a known risk retain access to firearms during the most dangerous moments of domestic violence intervention.

By ensuring timely firearm surrender, clearer procedures, and meaningful accountability, SB 20 / HB 83 will better protect survivors, children, law enforcement, and the public.

**Marylanders to Prevent Gun Violence urges a FAVORABLE report on SB 20 / HB 83.**

Thank you for your consideration.

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State	Temporary-order firearm prohibition (ETO/TRO)	Relinquishment required under restraining order	3rd-party surrender barred?*
Alabama	No	No	—
Alaska	No	No	—
Arizona	No	No	—
Arkansas	No	No	—
California	Yes	Yes	Yes
Colorado	Yes	Yes	No
Connecticut	Yes	Yes	Yes
Delaware	Yes	No	—
Florida	No	No	—
Georgia	No	No	—
Hawaii	Yes	Yes	Yes
Idaho	No	No	—
Illinois	Yes	Yes	No
Indiana	No	No	—



Iowa	No	Yes	No
Kansas	No	No	—
Kentucky	No	No	—
Louisiana	No	Yes	No
Maine	No	No	—
Maryland	No	Yes	Yes
Massachusetts	Yes	Yes	Yes
Michigan	No	No	—
Minnesota	No	Yes	No
Mississippi	No	No	—
Missouri	No	No	—
Montana	No	No	—
Nebraska	No	No	—
Nevada	No	No	—
New Hampshire	No	Yes	Yes
New Jersey	Yes	Yes	Yes
New Mexico	No	Yes	Yes
New York	Yes	Yes	Yes
North Carolina	Yes	Yes	Yes
North Dakota	No	No	—
Ohio	No	No	—
Oklahoma	No	No	—
Oregon	No	Yes	No



Pennsylvania	No	Yes	No
Rhode Island	No	Yes	Yes
South Carolina	No	No	—
South Dakota	No	No	—
Tennessee	No	Yes	No
Texas	Yes	No	—
Utah	No	No	—
Vermont	No	No	—
Virginia	No	Yes	No
Washington	Yes	Yes	Yes
West Virginia	Yes	No	—
Wisconsin	No	Yes	No
Wyoming	No	No	—

\*Only applicable where relinquishment is “Yes.” ([Everytown Research & Policy](#))

**SB 20 - MNADV - FAV.pdf**

Uploaded by: Laure Ruth

Position: FAV



**BILL NO:** Senate Bill 20  
**TITLE:** Family and Law Enforcement Protection Act  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** January 20, 2026  
**POSITION:** Favorable

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The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that works to lead diverse community partners toward the common purpose of reducing the occurrence and impact of intimate partner violence.. **MNADV urges the COMMITTEE to favorably report on SB 20.**

Senate Bill 20 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.<sup>1</sup> From that work this bill arose. SB 20 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 SB 20. 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. SB 20 would expand that to a mandatory surrender of firearms at the temporary protection order phase if court grants the order.

Second, Senate Bill 20 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 his gun ownership, as well as reinforcing that the courts must take their responsibility to have respondents surrender guns seriously and ask *every* petitioner about guns. However, we do have a 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”

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<sup>1</sup> [https://mdpgv.org/wp-content/uploads/2024/11/A-Safe-Haven\\_Policy-Paper-November-2024-.pdf](https://mdpgv.org/wp-content/uploads/2024/11/A-Safe-Haven_Policy-Paper-November-2024-.pdf)



instead of having to fill in all the answers. We support proposed amendments that lessen the number of questions. Even a shorter list of questions would appropriately protect survivors' privacy and would not be so overwhelming as to discourage petitioners from filing for protection from domestic abuse. In our experience, petitioners will not have the amount of information seeking to be gathered by these questions. The fundamental question is does he/she have guns? If so, do you know where they are or where he/she keeps them?

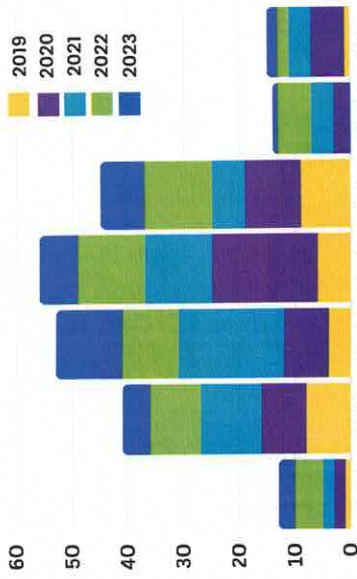
We also support a policy requiring appropriate referral, which should be to the domestic violence service provider in their jurisdiction. Some jurisdictions do this in the ordinary course in temporary protection order hearings, which are almost always ex parte.

The third component of SB 20 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.**

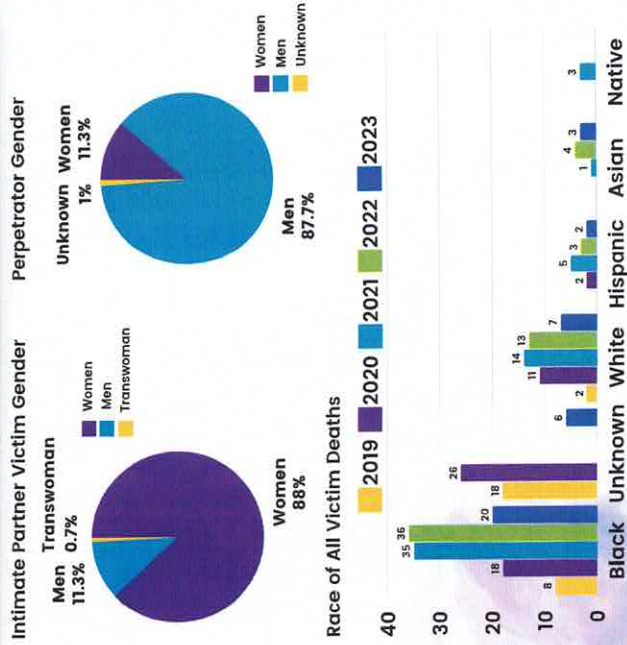
Attached to our testimony are charts with statistics about domestic violence homicides in Maryland from 2019-2023. From 2019-2023, of the 237 domestic violence homicides on our state, 75% were with the use of a gun.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report on SB 20.**

## 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
<b>Total</b>	<b>40</b>	<b>142</b>	<b>50</b>	<b>5</b>	<b>237</b>

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](http://WWW.MNADV.ORG)

Questions? Email us at [Info@MNADV.org](mailto:Info@MNADV.org)

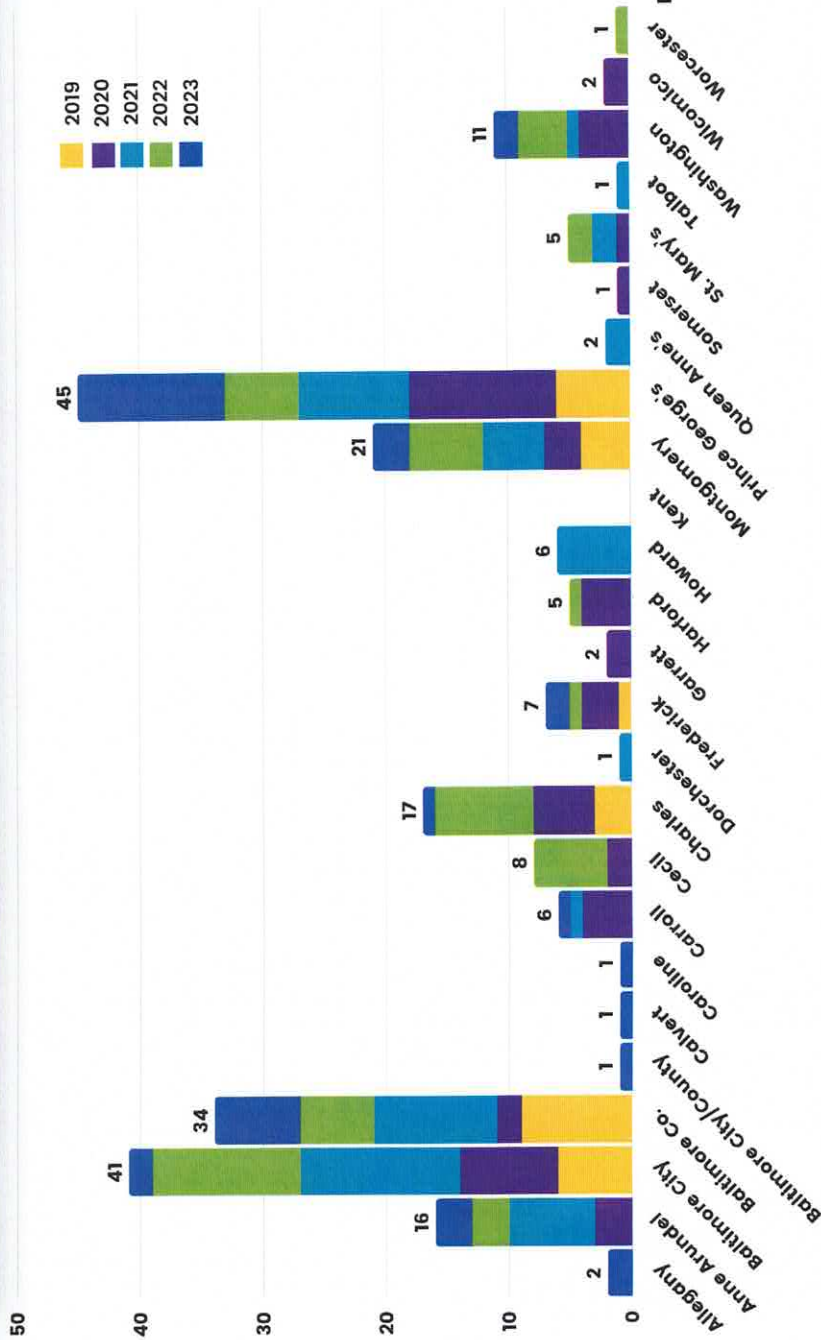


# Five Years of IPV Homicides in Maryland: Key Trends, Risk Factors, and Insights

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

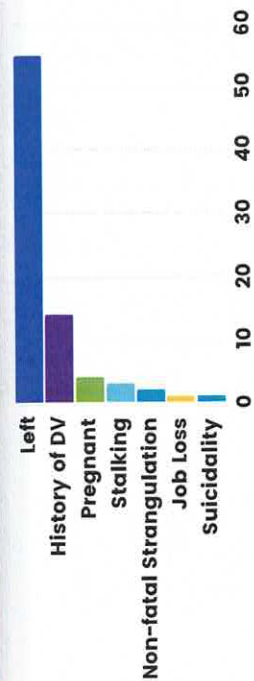


# Maryland Domestic Violence Deaths by Jurisdiction



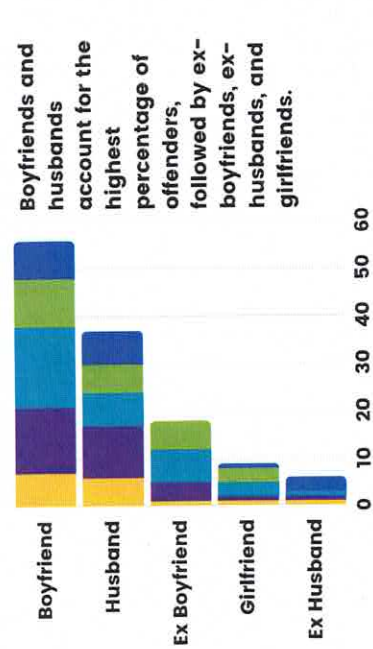
# Primary Lethality Factors

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.



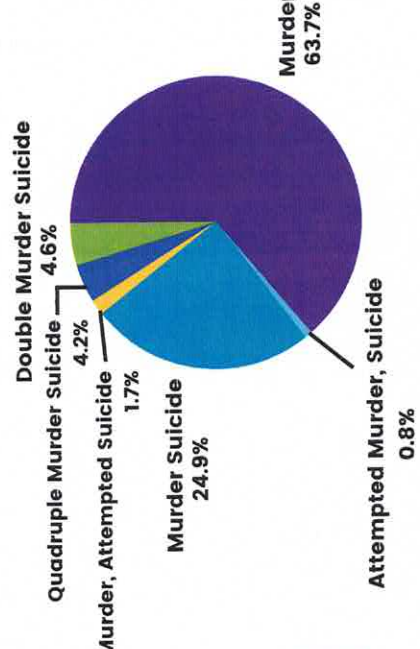
# Understanding the Perpetrators

## Offender Relationship (Top 5)



Boyfriends and husbands account for the highest percentage of offenders, followed by ex-boyfriends, ex-girlfriends, and ex-husbands.

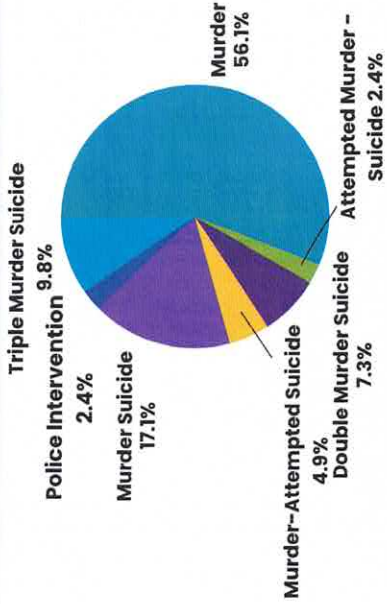
## Murder Suicides



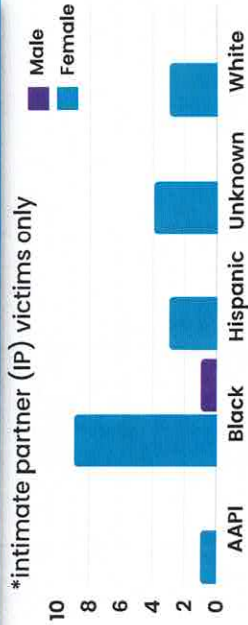
36% of IPV homicides in Maryland resulted in an attempted or completed suicide by the perpetrator.

**75%** all IPV-related deaths

## Murder-Suicides

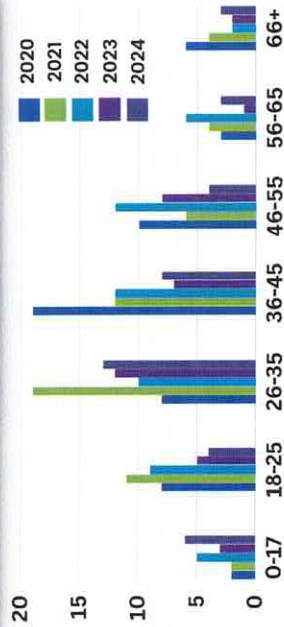


## Race & Gender



In 2024 in Maryland, intimate partner homicide remains a deeply gendered issue—95% of IP victims were women. In addition, Black women made up nearly 30% of IP victims this year and 36% over the last decade.

## Age of Death



In the year of 2024,

**41 Marylanders**

lost their lives to domestic violence

## Deaths by Category

YEARS	Victim Deaths		Homicides *Pending Legal Action	Abusive Partner Deaths	DEATHS	
	ADULTS	CHILDREN				TOTAL
2024	26	6	32	2*	7	41
2023	27	3	30	1*	7	38
2022	35	5	40	3*	13	56
2021	40	2	42	3*	13	58
2020	40	1	41	4*	11	56



MARYLAND NETWORK AGAINST DOMESTIC VIOLENCE  
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# 2024 Intimate Partner Violence Homicide Data



## Maryland Domestic Violence Deaths by Jurisdiction

\*Empty Boxes reflect Zero Deaths for the counties that year  
 \*\*Attempted murder in Prince Georges; Suicide completed in Montgomery

MD Counties	2020	2021	2022	2023	2024
Allegany				2	
Anne Arundel	3	7	3	3	1
Baltimore Co.	2	10	6	7	3
Baltimore City	8	13	12	3	4
Calvert				1	
Caroline				1	
Carroll	4	1		1	1
Cecil	2		6		1
Charles	5		8	1	
Dorchester		1			1
Frederick	3		1	2	3
Garrett	2				
Harford	4		1		1
Howard		6			9
Kent					
Montgomery	3	5	6	3	2**
Prince George's	12	9	6	12	11
Queen Anne's		2			
Somerset	1				
St. Mary's	1	2	2		3
Talbot		1			
Washington	4	1	4	2	
Wicomico	2				1
Worcester			1		
<b>TOTAL</b>	<b>56</b>	<b>58</b>	<b>56</b>	<b>38</b>	<b>41</b>

## 32 victims of Domestic Violence were killed in 2024.

Age Range: 1.5 years to 73 years old

### 21 Intimate Partners Died

- 4 Women were killed by their husband
- 3 Women were killed by their estranged or ex-husband
- 12 Women were killed by their boyfriend
- 2 Women were killed by their ex-boyfriend

### 11 Bystanders Died

- 5 People were killed by their father (4 children, 1 adult)
- 1 Adult was killed by a relative in relation to an IPV incident
- 4 People were killed (3 adults, 1 child) by someone with no relation to them
- 1 Child was killed by their parent's partner

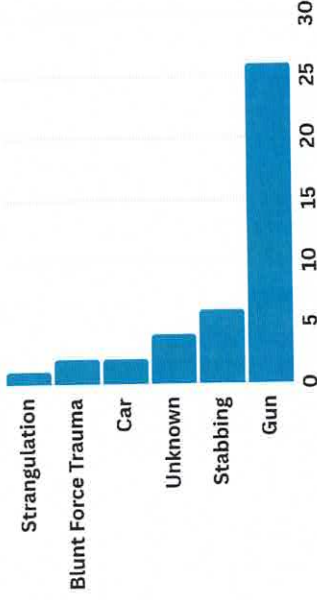
2 People lost their life due to unknown intimate partner violence dynamics. \*Details of cases are unknown due to pending legal action

### 7 Abusive Partners Died

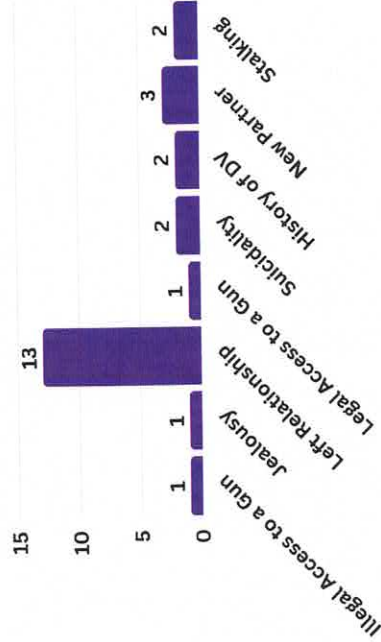
- 6 Men committed suicide within the context of a murder-suicide
- 1 Man died due to police intervention

## 63% of the deaths were caused by a gun

Method Used in Homicide:



## Lethality Factors



In 2024, leaving the relationship was identified in 41% of Maryland's IPV homicide cases, highlighting the heightened danger survivors face during separation.

\*Lethality factors predict the risk of a partner killing or severely harming someone in an abusive relationship. They are counted based on known case details and may not reflect all circumstances.

**SB 20 - MNADV - FAV.pdf**

Uploaded by: Laure Ruth

Position: FAV



**BILL NO:** Senate Bill 20  
**TITLE:** Family and Law Enforcement Protection Act  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** January 20, 2026  
**POSITION:** Favorable

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Second, Senate Bill 20 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 his gun ownership, as well as reinforcing that the courts must take their responsibility to have respondents surrender guns seriously and ask *every* petitioner about guns. However, we do have a 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”

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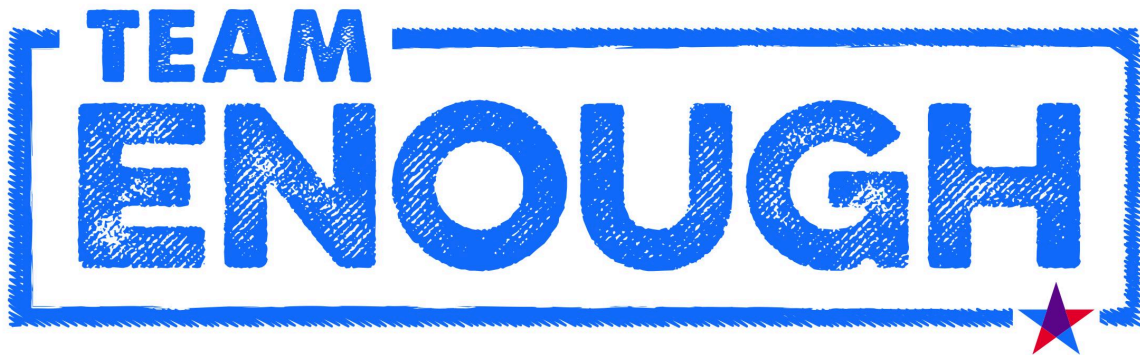
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For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report on SB 20.**

**2026 MD Written - LG - FLEA.pdf**

Uploaded by: Layla Greten

Position: FAV



Dear Chair Smith, Vice-Chair Waldstreicher, and esteemed members of the Senate Judicial Proceedings Committee.

My name is Layla Greten and I am writing today to voice my support for SB 0020, Family and Law Enforcement Protection Act. I am the Founder and President of Team ENOUGH Baltimore, a youth-led chapter dedicated to gun violence prevention under Brady United. As the President of Team ENOUGH Baltimore, I oversee nearly 50 students with a shared passion and commitment to gun violence prevention.

In the United States, 4.5 million women report being threatened with a gun by an intimate partner, and nearly one million have been shot by an intimate partner. The

presence of a firearm in a domestic violence incident increases the likelihood that a woman will be shot by five times.

Survivors in Maryland face the same risks due to the gap in firearm relinquishment protocols.

The Family and Law Enforcement Protection Act addresses these gaps by ensuring firearms are relinquished or removed during all stages of the protective order and would provide extra protection in these high-risk scenarios. Furthermore, research by the Hopkins Center for Gun Violence Solutions has shown that Domestic Violence Protective orders are not commonly filed in conjunction with Extreme Risk Protective Orders. This can be in part due to negligence or oversight, or simply the fact that victims do not wish to undergo more paperwork and stress during these times.

In these situations, it is not only the victims who suffer. The children in these households are just as much at risk. Being exposed to that cycle of violence at a young age can increase the risks that children grow up to repeat acts of abuse. Not only can that trauma last with them for a lifetime, but often it is the children themselves who end up hurt. They are often at increased risk of developing PTSD, depression, or other anxiety disorders.

Furthermore, it is proven that children who are present when domestic violence takes place are more likely to be killed or injured. In situations of physical abuse towards a mother, there is physical abuse towards a child in  $\frac{1}{3}$  to  $\frac{1}{2}$  of the cases.

This issue is not just abstract to me, but personal. I have had a member of my family who was once in an abusive marriage. When discussing this bill, it made me think about what could have happened if her husband had access to a firearm. The thought alone is terrifying.

This bill is vital in protecting survivors of domestic violence, their children, and our communities from gun violence. Abuse that takes place after a protective order has been filed can be prevented, and I strongly urge a favorable report for SB 0020.

Layla Greten

Founder and President, Team ENOUGH Baltimore

# **My name is Lisa Siano.pdf**

Uploaded by: Lisa Siano

Position: FAV

My name is Lisa Siano. I live in Columbia MD.

I am writing to support the passage of Senate Bill 20. It is very well known that women in abusive relationships are many times more likely to die if the abuser has access to a gun.

Extreme risk protection orders were enacted to protect women in such relationships. However, there is a dangerous gap in the law which allows an abuser to retain his weapons after a victim has petitioned for a protective order but before a judge has issued the order for the abuser's weapons to be removed. This is the most dangerous time for victims. It is essential that the current laws be amended or supplemented to protect victims of domestic violence from the threat of serious bodily injury or death from an abuser who has firearms.

Thank you for your consideration.

# **ET Testimony in Support of SB0020.pdf**

Uploaded by: Mary Kenah

Position: FAV



## Everytown for Gun Safety Testimony in Support of SB0020 (Family & Law Enforcement Protection Act)

January 16, 2026

Chair Smith and Members of the Senate Judicial Proceedings Committee:

I submit this written testimony on behalf of Everytown for Gun Safety, where I am Counsel for state legislative advocacy. Everytown strongly supports SB 0020 and requests a favorable report.

SB 0020 would strengthen Maryland's Protective Order process by ensuring people who are subjects of protective orders do not have access to firearms from the onset of a domestic violence case. This bill will better protect victims by providing law enforcement with additional knowledge of the existence of firearms in the home and the authority to execute search warrants when firearms are not surrendered. By strengthening existing law to make sure that firearms are kept out of the hands of domestic abusers when their victims first seek protection from a court through an interim or temporary protective order, victims will be better protected in the extremely dangerous days immediately following the filing for a protective order. The bill would also take steps to improve the implementation of firearm surrender requirements for protective orders by ensuring courts give clear and specific guidance to respondents.

Access to a gun in a domestic violence situation makes it five times more likely that a woman involved in that situation will be killed.<sup>1</sup> 75% of domestic violence fatalities in Maryland were committed with a gun in 2022.<sup>2</sup> Domestic violence disproportionately affects Black women in Maryland; they are killed at a rate nearly four times greater than their proportion within Maryland's population. Nationally, women in the US are 28 times more likely to die by firearm homicide than women in other high-income countries,<sup>3</sup> and nearly 7 in 10 women killed by an intimate partner in the US are killed with a gun.<sup>4</sup>

State laws that discourage or prohibit individuals subject to domestic violence-related restraining orders from possessing firearms and also require them to relinquish their firearms are associated with a 14 to 16 percent lower intimate partner firearm homicide rate.<sup>5</sup> When states

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<sup>1</sup> Jacquelyn 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 (July 2003): 1089–97, <https://doi.org/10.2105/AJPH.93.7.1089>.

<sup>2</sup> Maryland Network Against Domestic Violence, "2022-2023 DVFRSIT Report," 2024, <https://bit.ly/4hezNt8>.

<sup>3</sup> Everytown Research analysis of the most recent year of gun deaths by country (2015 to 2019), GunPolicy.org (accessed January 7, 2022).

<sup>4</sup> Everytown Research analysis of CDC, National Violent Death Reporting System (NVDRS), Average: 2020–2022. Analysis includes firearm homicides involving an intimate partner and women 18 years and older.

<sup>5</sup> April M. Zeoli et al., "Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Associations with Intimate Partner Homicide," *American Journal of Epidemiology* 187, no. 11 (November 2018): 2365–71, <https://doi.org/10.1093/aje/kwy174>. See



broaden their firearm prohibition laws beyond federal law to cover dating partners, as well as when firearm possession is prohibited at the initial stage of proceedings, the states were found to experience a 13 percent reduction in intimate partner homicide and a 16 percent reduction in intimate partner firearm homicide rate.<sup>6</sup>

The days immediately following the filing of a restraining order are extremely dangerous for a person suffering abuse. According to one study, 18 percent of women who were killed by an intimate partner and had restraining orders were killed within two days of the order being issued, and 36 percent were killed within a month.<sup>7</sup> Studies show that laws requiring domestic abusers to relinquish firearms save lives.

This bill will help protect victims during a critical, vulnerable period, it will give law enforcement the tools it needs to protect themselves and victims in domestic violence situations, and it will save lives in Maryland.

On behalf of Everytown for Gun Safety, I request a favorable report.

Mary Kenah  
Everytown for Gun Safety

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also: Carolina Diez et al., "State Intimate Partner Violence-Related Firearm Laws and Intimate Partner Homicide Rates in the United States, 1991 to 2015," *Annals of Internal Medicine* 167, no. 8 (October 2017): 536-43, <https://doi.org/10.7326/M16-2849>

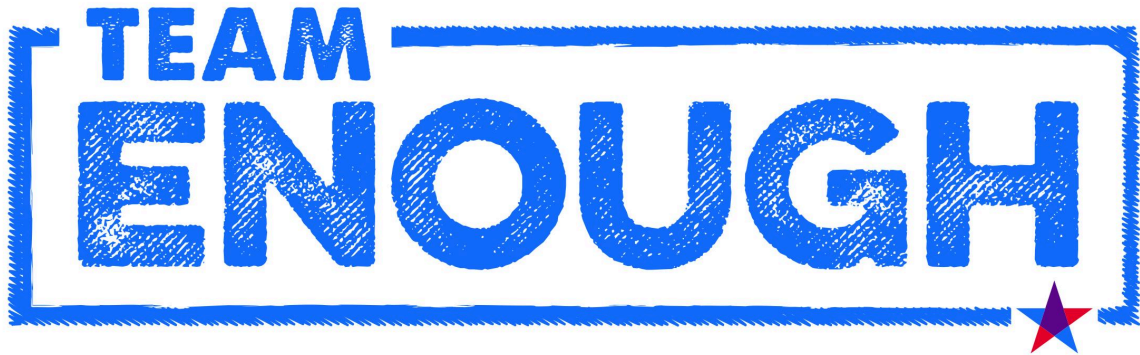
<sup>6</sup> April M. Zeoli et al., "Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Associations with Intimate Partner Homicide," *American Journal of Epidemiology* 187, no. 11 (November 2018): 2365-71, <https://doi.org/10.1093/aje/kwy174>.

<sup>7</sup> Katherine A. Vittes and Susan B. Sorenson, "Restraining Orders Among Victims of Intimate Partner Homicide," *Injury Prevention* 14, no. 3 (2008): 191-5, <https://doi.org/10.1136/ip.2007.017947>.

**FLEA ACT.pdf**

Uploaded by: nayla jimenez

Position: FAV



Dear Chair Smith, Vice-Chair Waldstreicher, and esteemed members of the Senate Judicial Proceedings Committee.

My name is Nayla Jimenez, and I am an active member of Team ENOUGH Howard County, a school-specific arm of Team ENOUGH Baltimore. We are a youth-led organization dedicated to gun violence prevention. I am here today to share my story and my support for SB 0020, the Family and Law Enforcement Protection Act.

The Family and Law Enforcement Protection Act requires the immediate surrender of all firearms and handguns when a protective order is issued. When a protective order is issued, there is an interim, temporary, and permanent stage during which an abuser needs to turn in their guns. These stages can take up to six months to take effect. During this time, abuse and aggression can escalate and can lead to an altercation in which a firearm is used. Family and Law Enforcement Protection act ensures that there is no time for an abuser to take action on their emotions.

Growing up, I always knew that my father was an alcoholic, but it wasn't until I was fifteen that I began to feel the consequences of his disease. For context, my father is an immigrant from the Dominican Republic; he grew up in a house where he was not loved or taken care of. These traits can be seen in him today. The symptoms of his alcoholism started

small, like sleeping throughout the day or being agitated over small things. As it progressed, it became abusive in both verbal and physical ways. My mother and I would be screamed at, called names, and accused of trying to harm our family. He would think that my mom was having an affair, and he would take all of our electronics to make sure she wasn't. The physical side started with him getting angry and punching holes in the walls and breaking furniture. One day, I remember he got so angry with my mother that when she tried to walk away from him, he grabbed her by the scarf and started to choke her.

Being in a house where abuse was an everyday thing, the only comfort I could hold on to was the fact that there wasn't a firearm in my home. This quickly changed. One day, on my way to school, my father pulled off to the side of the road and said he needed to show me something. He then pulled out a briefcase and told me to open it. Inside the briefcase, there was a gun. All of the safety that I was feeling vanished knowing that someone as violent as my father was now in possession of a handgun.

Being put into this situation made me question my safety every day, knowing that I had to walk on eggshells every day, fearing that something would make him snap and get violent. I would have to lie about things to him and even agree with the horrible things he was telling me in order to calm him down. Luckily, my father sought the help he needed, and the abuse stopped. We never sought any action because we knew that this would make our situation worse. If it continued and we did go through with filing a protective order, I can only imagine how he would have lashed out in those first twenty-four to forty eight hours. I believe that he would have taken extreme measures out of anger, and the Family and Law Enforcement Protection Act would have provided the safety to my family to live our lives without the fear of losing our lives. I can't tell my story without thinking about the many other families who are going through the same thing right now. The children in those houses are scared that someone who they thought was supposed to be their protector is now the one putting them in danger. The Family and Law Enforcement Protection Act would protect those families and ensure that they won't have to be constantly looking over their shoulder, fearing for their lives.

# **Testimony in support of SB0020 - Family and Law En**

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0020\_RichardKaplowitz\_FAV

01/20/2026

Richard Keith Kaplowitz  
Frederick, MD 21703-7134

**TESTIMONY ON SB#0020 - POSITION: FAVORABLE**  
**Family and Law Enforcement Protection Act**

**TO:** Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

**FROM:** Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0020, **Family and Law Enforcement Protection Act**

The purpose of this bill is to provide victims of domestic violence more surety that the abuser will be protected from their abuser possessing firearms. It accomplishes this by altering and establishing provisions relating to the surrender of firearms by a respondent under the domestic violence statutes; and requiring a local law enforcement authority to take certain actions within 3 business days after service of an order against a respondent who is not in compliance with an order to surrender certain firearms.

According to the Bloomberg School of Public Health at Johns Hopkins University:

Violence against partners and family members is a public health crisis, and, given the accessibility and availability of guns in America, this violence is often perpetrated with a firearm.

Domestic violence homicide data does not accurately capture the magnitude of domestic violence fatalities and use of firearms in domestic violence. These gaps make it challenging to understand the full scope of domestic violence nationally and to advocate for and implement data-driven domestic violence prevention strategies on the national, state, and local level. Even when there are no shots fired, abusers often use the mere presence of a firearm to intimidate, control, coerce, threaten, and injure intimate partners.<sup>1</sup>

This bill recognizes the dangers of firearms in the possession of anyone who has committed domestic violence and empowers law enforcement to take immediate action to prevent a tragedy from occurring.

**I respectfully urge this committee to return a favorable report on SB0020.**

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<sup>1</sup> <https://publichealth.jhu.edu/center-for-gun-violence-solutions/solutions/domestic-violence-and-firearms>

# **SB20\_Family and Law Enforcement Protection Act\_FAV**

Uploaded by: Shelly Hettleman

Position: FAV

**SHELLY HETTLEMAN**  
Legislative District 11  
Baltimore County

Chair, Rules Committee  
Budget and Taxation Committee

*Subcommittees*  
Capital Budget  
Health and Human Services  
Chair, Pensions

*Joint Committees*  
Senate Chair, Audit and Evaluation  
Senate Chair, Pensions



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Shelly.Hettleman@senate.state.md.us

**THE SENATE OF MARYLAND**  
ANNAPOLIS, MARYLAND 21401

**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.<sup>1</sup> 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.<sup>2</sup> Research also shows that more than half of intimate partner homicides against women, nationally are perpetrated with a firearm.<sup>3</sup>
- Research and survivor experience show that the period immediately after a victim seeks protection is often the most volatile and dangerous time for survivors.<sup>4</sup> 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.<sup>5-7</sup> 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.<sup>8</sup> 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.<sup>9</sup> 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.<sup>10,11</sup> 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.

## References:

1. Huecker MR, King KC, Jordan GA, Smock W. Domestic Violence. In: Domestic Violence *StatPearls* StatPearls Publishing; 2025. Accessed May 9, 2025. <http://www.ncbi.nlm.nih.gov/books/NBK499891/>
2. Campbell JC, Webster D, Koziol-McLain J, et al. Risk Factors for Femicide in Abusive Relationships: Results From a Multisite Case Control Study. *American Journal of Public Health*. 2003;93(7):1089–1096. doi:10.2105/AJPH.93.7.1089

3. Websdale N, Ferraro K, Barger SD. The domestic violence fatality review clearinghouse: introduction to a new National Data System with a focus on firearms. *Injury Epidemiology*. 2019;6(1):6. doi:10.1186/s40621-019-0182-2
4. Why It's Not Always Safe/Right to Leave an Abuser. Updated 2022. Accessed Jan 15, 2026Domestic Violence Services Network (DVSNS) Web site. <https://www.dvsn.org/july-2022-why-its-not-always-safe-right-to-leave-an-abuser/>
5. Mass. General Laws c.209A § 3B | Mass.gov. Updated 2024. Accessed Jan 15, 2026Mass.gov Web site. <https://www.mass.gov/info-details/mass-general-laws-c209a-ss-3b>
6. CO Rev Stat § 13-14-104.52024. Accessed Jan 15, 2026. <https://law.justia.com/codes/colorado/title-13/civil-protection-orders/article-14/section-13-14-104-5/>
7. North Carolina General Statutes Chapter 50B. Domestic Violence § 50B-3.1. Surrender and disposal of firearms; violations; exemptions. Accessed Jan 15, 2026. [https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_50b/GS\\_50b-3.1.pdf](https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_50b/GS_50b-3.1.pdf)
8. United States v. Rahimi. Accessed Jan 15, 2026Oyez Web site. <https://www.oyez.org/cases/2023/22-915>
9. 2022-2023 DVFRSIT Report: Maryland Domestic Violence Fatality Review State Implementation Team*Maryland Network Against Domestic Violence*. 2024. Accessed May 9, 2025. <https://www.mnadv.org/wp-content/uploads/2024/01/2023-DVFRSIT-ReportFinal.pdf>
10. Hughes D, DeFilippis E. Gun-Rights Advocates Claim Owning a Gun Makes a Woman Safer. The Research Says They're Wrong. Updated 2016. Accessed Feb 13, 2025<https://www.thetrace.org/2016/05/gun-ownership-makes-women-safer-debunked/>
11. Zeoli AM, Bonomi A. Pretty in Pink? Firearm Hazards for Domestic Violence Victims. *Womens Health Issues*. 2015;25(1):3–5. doi:10.1016/j.whi.2014.09.005

# **Sponsor Amendment**

Uploaded by: Shelly Hettleman

Position: FAV



**SB0020/893726/1**

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

20 JAN 26  
13:32:29

BY: Senator Hettleman  
(To be offered in the Judicial Proceedings Committee)

AMENDMENT TO SENATE BILL 20  
(First Reading File Bill)

On page 5, in line 22, strike “AND” and substitute “OR”.

On page 6, strike beginning with the second “A” in line 3 down through “AUTHORITY” in line 4 and substitute “THE LAW ENFORCEMENT AGENCY THAT SERVED THE ORDER”; strike beginning with “ANY” in line 7 down through “AGENCY” in line 8 and substitute “THE LAW ENFORCEMENT AGENCY THAT SERVED THE ORDER”; strike beginning with “ANY” in line 12 down through “AGENCY” in line 13 and substitute “THE LAW ENFORCEMENT AGENCY THAT SERVED THE ORDER”; and strike beginning with “A” in line 14 down through “AUTHORITY” in line 15 and substitute “THE LAW ENFORCEMENT AGENCY THAT SERVED THE ORDER”.

On pages 6 and 7, strike in their entirety the lines beginning with line 33 on page 6 through line 5 on page 7, inclusive.

On page 7, in line 6, strike “(2)” and substitute “(D) (1)”; and in line 12, strike “(3)” and substitute “(2)”.

# **Sponsor Amendment Reprint**

Uploaded by: Shelly Hettleman

Position: FAV

# SENATE BILL 20

D4

(PRE-FILED)

6lr1361  
CF HB 83

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By: **Senator Hettleman**  
Requested: October 28, 2025  
Introduced and read first time: January 14, 2026  
Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Family and Law Enforcement Protection Act**

3 FOR the purpose of altering and establishing provisions relating to the surrender of  
4 firearms by a respondent under the domestic violence statutes; and generally  
5 relating to protective orders.

6 BY repealing and reenacting, without amendments,  
7 Article – Family Law  
8 Section 4–504(a)  
9 Annotated Code of Maryland  
10 (2019 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article – Family Law  
13 Section 4–504(b), 4–504.1(f), 4–505(a), 4–506(f), 4–506.1, and 4–509(a)  
14 Annotated Code of Maryland  
15 (2019 Replacement Volume and 2025 Supplement)

16 BY adding to  
17 Article – Family Law  
18 Section 4–504(e)  
19 Annotated Code of Maryland  
20 (2019 Replacement Volume and 2025 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
22 That the Laws of Maryland read as follows:

23 **Article – Family Law**

24 4–504.

2        **REPRINT OF SENATE BILL 20 as amended by SB0020/893726/1    01/20/26 at 1:31 PM**

1            (a)    (1)    A petitioner may seek relief from abuse by filing with a court, or with a  
2 commissioner under the circumstances specified in § 4–504.1(a) of this subtitle, a petition  
3 that alleges abuse of any person eligible for relief by the respondent.

4            (2)    A petition may be filed under this subtitle if:

5                    (i)    the abuse is alleged to have occurred in the State; or

6                    (ii)   the person eligible for relief is a resident of the State, regardless  
7 of whether the abuse is alleged to have occurred in the State.

8            (b)    (1)    The petition shall:

9                    (i)    be under oath; and

10                  (ii)   include any information known to the petitioner of:

11                            1.    the nature and extent of the abuse for which the relief is  
12 being sought, including information known to the petitioner concerning previous injury  
13 resulting from abuse by the respondent;

14                            2.    each previous action between the parties in any court;

15                            3.    each pending action between the parties in any court;

16                            4.    the whereabouts of the respondent, if known;

17                            **5.    WHETHER THE RESPONDENT POSSESSES A VALID  
18 HANDGUN QUALIFICATION LICENSE OR A PERMIT TO WEAR, CARRY, OR TRANSPORT  
19 A HANDGUN ISSUED TO THE RESPONDENT BY THE SECRETARY OF STATE POLICE;**

20                            **6.    WHETHER THE RESPONDENT OWNS OR POSSESSES A  
21 FIREARM;**

22                            **[5.] 7.**    if financial relief is requested, information known to the  
23 petitioner regarding the financial resources of the respondent; and

24                            **[6.] 8.**    in a case of alleged child abuse or alleged abuse of a  
25 vulnerable adult, the whereabouts of the child or vulnerable adult and any other  
26 information relating to the abuse of the child or vulnerable adult.

27            (2)    If the petition states that disclosure of the address of a person eligible  
28 for relief would risk further abuse of a person eligible for relief, or reveal the confidential  
29 address of a shelter for domestic violence victims, that address may be omitted from all  
30 documents filed with a commissioner or filed with, or transferred to, a court. If disclosure

3 REPRINT OF SENATE BILL 20 as amended by SB0020/893726/1 01/20/26 at 1:31 PM

1 is necessary to determine jurisdiction or consider any venue issue, it shall be made orally  
2 and in camera and may not be disclosed to the respondent.

3 (E) IF THE PETITION STATES THAT THE RESPONDENT POSSESSES A VALID  
4 HANDGUN QUALIFICATION LICENSE OR A PERMIT TO WEAR, CARRY, OR TRANSPORT  
5 A HANDGUN, OR THAT THE RESPONDENT OWNS OR POSSESSES A FIREARM, THE  
6 PETITIONER SHALL INCLUDE WITH THE PETITION THE FOLLOWING INFORMATION  
7 KNOWN TO THE PETITIONER:

8 (1) THE LENGTH OF TIME THAT THE PETITIONER HAS KNOWN OR  
9 LIVED WITH THE RESPONDENT;

10 (2) THE POTENTIAL LOCATION OF THE RESPONDENT'S FIREARM;

11 (3) THE LAST TIME THE PETITIONER SAW THE RESPONDENT'S  
12 FIREARM;

13 (4) THE MAKE AND MODEL OF THE RESPONDENT'S FIREARM;

14 (5) HOW MANY AND WHAT TYPE OF FIREARMS THE RESPONDENT MAY  
15 HAVE ACCESS TO; AND

16 (6) WHETHER THE RESPONDENT KEEPS THE FIREARM IN THE  
17 RESPONDENT'S CAR AND, IF SO:

18 (I) THE MAKE AND MODEL OF THE CAR; AND

19 (II) THE LICENSE PLATE NUMBER OF THE CAR.

20 4-504.1.

21 (f) Whenever a commissioner issues an interim protective order, the  
22 commissioner shall:

23 (1) immediately forward a copy of the petition and interim protective order  
24 to the appropriate law enforcement agency for service on the respondent; [and]

25 (2) before the hearing scheduled in the interim protective order, transfer  
26 the case file and the return of service, if any, to the Office of the District Court Clerk; AND

27 (3) PROVIDE THE PETITIONER WITH RESOURCES FOR SAFETY,  
28 PLANNING, AND OTHER SUPPORT, INCLUDING CONTACT INFORMATION FOR THE  
29 MARYLAND NETWORK AGAINST DOMESTIC VIOLENCE.

4 REPRINT OF SENATE BILL 20 as amended by SB0020/893726/1 01/20/26 at 1:31 PM

1 4-505.

2 (a) (1) (i) If, after a hearing on a petition, whether ex parte or otherwise, a  
3 judge finds that there are reasonable grounds to believe that a person eligible for relief has  
4 been abused, the judge may enter a temporary protective order to protect any person  
5 eligible for relief from abuse.

6 (ii) In determining whether there are reasonable grounds to believe  
7 that a person eligible for relief has been abused, the judge may consider whether a military  
8 protection order has been issued against the respondent for the same or similar conduct  
9 against the same person eligible for relief.

10 (2) The temporary protective order may order any or all of the following  
11 relief:

12 (i) order the respondent to refrain from further abuse or threats of  
13 abuse of a person eligible for relief;

14 (ii) order the respondent to refrain from contacting, attempting to  
15 contact, or harassing any person eligible for relief;

16 (iii) order the respondent to refrain from entering the residence of a  
17 person eligible for relief;

18 (iv) where the person eligible for relief and the respondent are  
19 residing together at the time of the alleged abuse, order the respondent to vacate the home  
20 immediately and award temporary use and possession of the home to the person eligible  
21 for relief or in the case of alleged abuse of a child or alleged abuse of a vulnerable adult,  
22 award temporary use and possession of the home to an adult living in the home, provided  
23 that the court may not grant an order to vacate and award temporary use and possession  
24 of the home to a nonspouse person eligible for relief unless the name of the person eligible  
25 for relief appears on the lease or deed to the home or the person eligible for relief has resided  
26 in the home with the respondent for a period of at least 90 days within 1 year before the  
27 filing of the petition;

28 (v) order the respondent to remain away from the place of  
29 employment, school, or temporary residence of a person eligible for relief or home of other  
30 family members;

31 (vi) order the respondent to remain away from a child care provider  
32 of a person eligible for relief while a child of the person is in the care of the child care  
33 provider;

34 (vii) award temporary custody of a minor child of the person eligible  
35 for relief and the respondent; **AND**

36 (viii) [order the respondent to surrender to law enforcement

5       **REPRINT OF SENATE BILL 20 as amended by SB0020/893726/1   01/20/26 at 1:31 PM**

1 authorities any firearm in the respondent's possession, and to refrain from possession of  
2 any firearm, for the duration of the temporary protective order if the abuse consisted of:

3                   1.     the use of a firearm by the respondent against a person  
4 eligible for relief;

5                   2.     a threat by the respondent to use a firearm against a  
6 person eligible for relief;

7                   3.     serious bodily harm to a person eligible for relief caused by  
8 the respondent; or

9                   4.     a threat by the respondent to cause serious bodily harm to  
10 a person eligible for relief; and

11                   (ix)]     award temporary possession of any pet of the person eligible for  
12 relief or the respondent.

13                   (3)     If the judge awards temporary custody of a minor child under  
14 paragraph (2)(vii) of this subsection, the judge may order a law enforcement officer to use  
15 all reasonable and necessary force to return the minor child to the custodial parent after  
16 service of the temporary protective order.

17                   **(4)     THE TEMPORARY PROTECTIVE ORDER SHALL ORDER THE**  
18 **RESPONDENT TO:**

19                   **(I)     SURRENDER TO LAW ENFORCEMENT AUTHORITIES ANY**  
20 **FIREARM IN THE RESPONDENT'S POSSESSION AND ANY HANDGUN QUALIFICATION**  
21 **LICENSE OR PERMIT TO WEAR, CARRY, OR TRANSPORT A HANDGUN ISSUED TO THE**  
22 **RESPONDENT; ~~AND OR~~**

23                   **(II)    REFRAIN FROM PURCHASING OR POSSESSING A FIREARM**  
24 **FOR THE DURATION OF THE TEMPORARY PROTECTIVE ORDER.**

25 4-506.

26                   (f)     The final protective order shall order the respondent to surrender to law  
27 enforcement authorities any firearm in the respondent's possession **AND ANY HANDGUN**  
28 **QUALIFICATION LICENSE OR PERMIT TO WEAR, CARRY, OR TRANSPORT A HANDGUN**  
29 **ISSUED TO THE RESPONDENT**, and to refrain from [possession of any] **PURCHASING OR**  
30 **POSSESSING A** firearm, for the duration of the protective order.

31 4-506.1.

32                   **(A)    (1)     IF A RESPONDENT IS ORDERED TO SURRENDER A FIREARM, A**  
33 **HANDGUN QUALIFICATION LICENSE, OR A PERMIT TO WEAR, CARRY, OR TRANSPORT**

6 REPRINT OF SENATE BILL 20 as amended by SB0020/893726/1 01/20/26 at 1:31 PM

1 A HANDGUN UNDER THIS SUBTITLE, THE RESPONDENT SHALL SURRENDER ALL  
 2 FIREARMS AND ANY HANDGUN QUALIFICATION LICENSE OR PERMIT TO WEAR,  
 3 CARRY, OR TRANSPORT A HANDGUN IN THE RESPONDENT'S POSSESSION TO A LOCAL  
 4 ~~LAW ENFORCEMENT AUTHORITY~~ THE LAW ENFORCEMENT AGENCY THAT SERVED THE ORDER WITHIN 24 HOURS  
 AFTER A LAW ENFORCEMENT  
 5 OFFICER SERVES THE ORDER ON THE RESPONDENT.

6 (2) IF THE RESPONDENT DOES NOT POSSESS A FIREARM, THE  
 7 RESPONDENT SHALL SUBMIT AN AFFIDAVIT TO THE COURT AND ~~ANY RELEVANT LAW~~  
 8 ~~ENFORCEMENT AGENCY~~ THE LAW ENFORCEMENT AGENCY THAT SERVED THE ORDER TO THAT EFFECT SIGNED  
 UNDER PENALTY OF PERJURY  
 9 WITHIN 2 BUSINESS DAYS AFTER SERVICE OF THE ORDER.

10 (3) IF THE RESPONDENT HAS LAWFULLY SOLD OR TRANSFERRED A  
 11 FIREARM WITHIN THE PRIOR 30 DAYS, THE RESPONDENT SHALL SUBMIT THE  
 12 TRANSFER PAPERWORK TO THE COURT AND ~~ANY RELEVANT LAW ENFORCEMENT~~  
 13 ~~AGENCY~~ THE LAW ENFORCEMENT AGENCY THAT SERVED THE ORDER WITHIN 2 BUSINESS DAYS AFTER SERVICE  
 OF THE ORDER.

14 (B) (1) WITHIN 3 BUSINESS DAYS AFTER SERVICE OF THE ORDER, A  
 15 ~~LOCAL LAW ENFORCEMENT AUTHORITY~~ THE LAW ENFORCEMENT AGENCY THAT SERVED THE ORDER SHALL  
 DETERMINE WHETHER THE  
 16 RESPONDENT HAS COMPLIED WITH SUBSECTION (A) OF THIS SECTION.

17 (2) IF A LOCAL LAW ENFORCEMENT AUTHORITY DETERMINES A  
 18 RESPONDENT IS NOT IN COMPLIANCE WITH SUBSECTION (A) OF THIS SECTION  
 19 WITHIN 3 BUSINESS DAYS AFTER SERVICE OF THE ORDER, THE LOCAL LAW  
 20 ENFORCEMENT AUTHORITY SHALL:

21 (I) NOTIFY THE STATE'S ATTORNEY'S OFFICE THAT THE  
 22 RESPONDENT IS NOT IN COMPLIANCE WITH SUBSECTION (A) OF THIS SECTION; AND

23 (II) TAKE APPROPRIATE STEPS TO DETERMINE WHETHER THE  
 24 RESPONDENT IS IN POSSESSION OF FIREARMS, INCLUDING BY OBTAINING A SEARCH  
 25 WARRANT UNDER SUBSECTION (H) OF THIS SECTION, AND REMOVE ANY FIREARMS.

26 [(a)] (C) If a respondent surrenders a firearm under [§ 4-505 or § 4-506 of] this  
 27 subtitle, a law enforcement officer shall:

28 (1) provide to the respondent information on the process for retaking  
 29 possession of the firearm; and

30 (2) transport and store the firearm in a protective case, if one is available,  
 31 and in a manner intended to prevent damage to the firearm during the time the protective  
 32 order is in effect.

33 ~~(D) (1) THE RESPONDENT MAY RETAKE POSSESSION OF THE FIREARM AT~~  
 34 ~~THE EXPIRATION OF AN INTERIM PROTECTIVE ORDER UNLESS:~~

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1 ~~(H) THE RESPONDENT IS ORDERED TO SURRENDER THE~~  
 2 ~~FIREARM IN A TEMPORARY PROTECTIVE ORDER ISSUED UNDER § 4-505 OF THIS~~  
 3 ~~SUBTITLE; OR~~

4 ~~(H) THE RESPONDENT IS NOT OTHERWISE LEGALLY ENTITLED~~  
 5 ~~TO OWN OR POSSESS THE FIREARM.~~

6 [(b) (1)] ~~(2)~~ **(D) (1)** The respondent may retake possession of the firearm at the  
 7 expiration of a temporary protective order unless:

8 (i) the respondent is ordered to surrender the firearm in a protective  
 9 order issued under § 4-506 of this subtitle; or

10 (ii) the respondent is not otherwise legally entitled to own or possess  
 11 the firearm.

12 ~~[(2)]~~ ~~(3)~~ **(2)** The respondent may retake possession of the firearm at the  
 13 expiration of a final protective order unless:

14 (i) the protective order is extended under § 4-507(a)(2) of this  
 15 subtitle; or

16 (ii) the respondent is not otherwise legally entitled to own or possess  
 17 the firearm.

18 **[(c) (E)]** Notwithstanding any other law, a respondent may transport a firearm  
 19 if the respondent is carrying a protective order requiring the surrender of the firearm and:

20 (1) the firearm is unloaded;

21 (2) the respondent has notified the law enforcement unit, barracks, or  
 22 station that the firearm is being transported in accordance with the protective order; and

23 (3) the respondent transports the firearm directly to the law enforcement  
 24 unit, barracks, or station.

25 **(F) A RESPONDENT WHO DOES NOT WISH TO RECOVER A FIREARM**  
 26 **SURRENDERED IN ACCORDANCE WITH A PROTECTIVE ORDER OR WHO IS OTHERWISE**  
 27 **PROHIBITED FROM POSSESSING A FIREARM MAY:**

28 **(1) SELL OR TRANSFER THE FIREARM OR AMMUNITION TO:**

29 **(I) A LICENSED FIREARM DEALER; OR**

8 REPRINT OF SENATE BILL 20 as amended by SB0020/893726/1 01/20/26 at 1:31 PM

1 (II) ANOTHER PERSON:

2 1. WHO IS NOT PROHIBITED FROM POSSESSING A  
3 FIREARM OR AMMUNITION UNDER STATE OR FEDERAL LAW; AND

4 2. WHO DOES NOT LIVE IN THE SAME RESIDENCE AS THE  
5 RESPONDENT; OR

6 (2) REQUEST THE DESTRUCTION OF THE FIREARM.

7 (G) A LAW ENFORCEMENT AGENCY THAT RECEIVES A FIREARM  
8 SURRENDERED UNDER THIS SUBTITLE SHALL ISSUE WRITTEN PROOF OF THE  
9 SURRENDER TO THE RESPONDENT, INCLUDING:

10 (1) THE NAME OF THE PERSON SURRENDERING THE FIREARM;

11 (2) THE DATE THE FIREARM WAS SURRENDERED; AND

12 (3) (I) SUBJECT TO ITEM (II) OF THIS ITEM, THE SERIAL NUMBER,  
13 MAKE, AND MODEL OF THE FIREARM; OR

14 (II) FOR A FIREARM MANUFACTURED PRIOR TO 1968 WITHOUT  
15 A SERIAL NUMBER, THE IDENTIFYING MARKS ON THE FIREARM.

16 (H) (1) TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE RELATING TO  
17 THE SURRENDER OF FIREARMS, A LAW ENFORCEMENT OFFICER SHALL ACCOMPANY  
18 THE RESPONDENT OR PROCEED WITHOUT THE RESPONDENT'S PRESENCE, IF  
19 NECESSARY, TO ANY PLACE WHERE THE LAW ENFORCEMENT OFFICER HAS  
20 PROBABLE CAUSE TO BELIEVE A FIREARM IN THE POSSESSION OF THE RESPONDENT  
21 IS LOCATED TO ENSURE THAT THE RESPONDENT DOES NOT GAIN ACCESS TO A  
22 FIREARM.

23 (2) ON APPLICATION BY THE STATE'S ATTORNEY OR A LAW  
24 ENFORCEMENT OFFICER, BASED ON PROBABLE CAUSE TO BELIEVE THAT THE  
25 RESPONDENT HAS FAILED TO SURRENDER A FIREARM IN ACCORDANCE WITH THIS  
26 SECTION OR IS IN POSSESSION OF OTHER FIREARMS, THE COURT MAY AUTHORIZE  
27 THE EXECUTION OF A SEARCH WARRANT FOR THE REMOVAL OF A FIREARM AT ANY  
28 LOCATION AT WHICH THE COURT HAS PROBABLE CAUSE TO BELIEVE A FIREARM  
29 POSSESSED BY THE RESPONDENT IS LOCATED.

30 (3) IF AN ORDER UNDER THIS SUBTITLE PROHIBITS A RESPONDENT  
31 FROM RETURNING TO THE SCENE OF DOMESTIC VIOLENCE OR ANOTHER PLACE  
32 WHERE A LAW ENFORCEMENT OFFICER HAS PROBABLE CAUSE TO BELIEVE A

9        **REPRINT OF SENATE BILL 20 as amended by SB0020/893726/1    01/20/26 at 1:31 PM**

1    **FIREARM IN THE POSSESSION OF THE RESPONDENT IS LOCATED, THE LAW**  
2    **ENFORCEMENT OFFICER SHALL PROCEED WITHOUT THE RESPONDENT'S PRESENCE.**

3    4-509.

4        (a)     A person may not fail to comply with the relief granted in an interim protective  
5    order under § 4-504.1(c)(1), (2), (3), (4)(i), (7), or (8) of this subtitle, a temporary protective  
6    order under § 4-505(a)(2)(i), (ii), (iii), (iv), **OR** (v)[, or (viii)] **OR (4)** of this subtitle, or a final  
7    protective order under § 4-506(d)(1), (2), (3), (4), or (5)[,] or (f) of this subtitle.

8        SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9    October 1, 2026.

**Guns - FLEPA - MCASA testimony - 2026 - SB20 FWA.p**

Uploaded by: Lisae C Jordan

Position: FWA



**Working to end sexual violence in Maryland**

P.O. Box 8782  
Silver Spring, MD 20907  
Phone: 301-565-2277  
www.mcasa.org

For more information contact:  
Lisae C. Jordan, Esquire  
443-995-5544

**Testimony Supporting Senate Bill 20 with Amendments**  
**Lisae C. Jordan, Executive Director & Counsel**  
January 20, 2026

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute which provides direct legal services for survivors across the State of Maryland. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 20 with Amendments.

Senate Bill 20 provides guidance to the courts and law enforcement on how to hold protection order respondents accountable for surrendering their firearms when required by court order. Protection orders are the first line of defense for survivors of intimate partner violence, including intimate partners who have been sexually assaulted. Many survivors of non-intimate partner sexual violence are also persons eligible for relief under the protective order statute.

There are three major components to SB 20. First, the protection order statute (Fam.Law §4-501 et seq.) already requires the mandatory surrender of firearms upon the grant of a final protection order. SB 20 would expand that to a mandatory surrender of firearms at the temporary protection order phase.

Second, Senate Bill 20 creates a list of questions on the petition for protection from abuse. Our sister coalition, the Maryland Network Against Domestic Violence, suggests some amendments and MCASA completely concurs with the need for some refinements. We remain concerned that requiring petitioners to answer extensive questions prior to a hearing may be intimidating to some survivors and respectfully suggest that this inquiry be made after an order is issued when the courts are determining where the respondent may be served.

The third component of SB 20 creates accountability for the respondent to comply with a court order to surrender their guns. The efforts to hold respondents accountable currently vary across jurisdictions. The proposed accountability provisions will help ensure that petitioners everywhere in the State have the safety that protection orders provide.

**The Maryland Coalition Against Sexual Assault urges the  
Judicial Proceedings Committee to  
report favorably on Senate Bill 20 with Amendments**

# **Written Testimony for SB 0020\_ Family & Law Enforc**

Uploaded by: Trudy Tibbals

Position: FWA

Written Testimony for **SB 0020**: Family & Law Enforcement Protection Act: Please SUPPORT this bill with an Amendment

Dear Judicial Proceedings Committee:

Upon review of this bill, I understand that the intent of this bill is to keep firearms away from domestic abusers. I agree with this premise.

My only objection to this bill is that I did NOT see any safeguards for citizens who are NOT domestic abusers. I do not want law-abiding American citizens to be negatively impacted by this bill.

Please VOTE FAVORABLY WITH AMENDMENTS on this bill.

Thank you for your time and consideration of my concerns regarding this bill.

**MD SB 20 NRA Oppose.pdf**

Uploaded by: John Weber

Position: UNF

NATIONAL RIFLE ASSOCIATION OF AMERICA

**Institute for Legislative Action**

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



**NRA**

January 16, 2026

National Rifle Association

11250 Waples Mill Road

Fairfax, VA 22030

October 24, 2025

Chair Smith and Members of the Committee,

My name is John Weber and I represent the National Rifle Association and our members in Maryland. The NRA is opposed to Senate Bill 20. This legislation creates an overlapping confiscation scheme on top of Maryland's existing domestic violence and Extreme Risk Protective Order (ERPO) laws, with substantial due process, enforcement, and practical problems and no clear evidence of added public safety benefit.

First, Maryland already disarms abusers. Under current law, a final protective order requires firearm surrender and prohibits possession for the life of the order, and Maryland's ERPO statute already allows quick, firearm-specific orders, mandatory surrender, and search warrants when there is evidence a person is dangerous and possess firearms. SB 20 does not tighten those standards or fix a clearly documented gap, it simply pushes mandatory gun and license confiscation earlier in the process, at the ex parte and temporary stages, where the respondent may not have been heard at all. That converts what has been a serious civil remedy into an automatic disarmament tool based on one-sided allegations.

Second, the bill builds a complex bureaucracy around law-abiding gun owners rather than targeting proven abusers. It requires petitioners to guess at detailed firearm information and locations, and forces respondents either to surrender all firearms and licenses within 24 hours of service or file affidavits within two business days under penalty of perjury, including producing paperwork for recent lawful transfers. A person who misremembers a sale date or forgets an old firearm in storage faces new criminal exposure that has nothing to do with actual violence, while genuinely dangerous offenders who already ignore existing orders are unlikely to suddenly comply with new paperwork demands.

Third, SB 20 effectively turns every qualifying protective order into a fishing expedition. It directs law enforcement to verify compliance within three business days and, if they think someone is not in full technical compliance, to notify prosecutors and "take appropriate steps," explicitly including search warrants to seize guns from homes and vehicles. That increases the risk of wrongful raids and dangerous confrontations, which is bad for both victims and officers.

Fourth, these new mandates impose real costs on police and courts. Agencies will be required to comply with 24 hour deadlines, conduct compliance checks on every respondent, store and inventory seized firearms, manage releases, sales, and destruction, and handle disputes and

NATIONAL RIFLE ASSOCIATION OF AMERICA

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**NRA**

litigation over mistakes. Departments already struggle with ERPO service and storage demands; duplicating and expanding that framework in the domestic violence subtitle will pull officers off the street to do gun room and paperwork duty.

Finally, by making firearm confiscation automatic at the temporary stage, SB 20 magnifies the impact of any false, exaggerated claim in custody disputes. A temporary order based on a low standard suddenly triggers automatic loss of firearms, licenses, and employment in some cases, plus the prospect of warrants, all before a full hearing on the merits.

In closing, Maryland already has powerful tools to disarm truly dangerous individuals through final protective orders, criminal prohibitions, and ERPOs. SB 20 does not meaningfully improve those tools. For these reasons, NRA respectfully urges the committee to oppose Senate Bill 20

Thank you for your consideration.

A handwritten signature in black ink that reads "John Weber". The signature is written in a cursive style with a long horizontal stroke at the end.

John Weber  
State Director  
NRA-ILA

# **Testimony on SB0020 MooneyKarla.pdf**

Uploaded by: Karla Mooney

Position: UNF

SB0020 Family and Law Enforcement Protection Act

Testimony from Karla Mooney citizen of District 29C in St Mary's County.

As I read this bill it looks to me like the requirements here are to surrender all licenses and firearms before the case actually goes to court. I do not agree with this bill as I read it. I believe the law states that a person is innocent until proven guilty- this seems to imply otherwise. If only a Temporary Protective order (TPO) is given – the person should NOT be presumed guilty and turning in licenses and firearms is a presumption of guilt and is a huge issue with the constitutional rights.

I ask for a unfavorable report on this bill as it is written!

# **Testimony on SB0020 MooneyKarla.pdf**

Uploaded by: Karla Mooney

Position: UNF

SB0020 Family and Law Enforcement Protection Act

Testimony from Karla Mooney citizen of District 29C in St Mary's County.

As I read this bill it looks to me like the requirements here are to surrender all licenses and firearms before the case actually goes to court. I do not agree with this bill as I read it. I believe the law states that a person is innocent until proven guilty- this seems to imply otherwise. If only a Temporary Protective order (TPO) is given – the person should NOT be presumed guilty and turning in licenses and firearms is a presumption of guilt and is a huge issue with the constitutional rights.

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# **Testimony on SB0020 MooneyKarla.pdf**

Uploaded by: Karla Mooney

Position: UNF

SB0020 Family and Law Enforcement Protection Act

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I ask for a unfavorable report on this bill as it is written!

# **Testimony on SB0020 MooneyKarla.pdf**

Uploaded by: Karla Mooney

Position: UNF

SB0020 Family and Law Enforcement Protection Act

Testimony from Karla Mooney citizen of District 29C in St Mary's County.

As I read this bill it looks to me like the requirements here are to surrender all licenses and firearms before the case actually goes to court. I do not agree with this bill as I read it. I believe the law states that a person is innocent until proven guilty- this seems to imply otherwise. If only a Temporary Protective order (TPO) is given – the person should NOT be presumed guilty and turning in licenses and firearms is a presumption of guilt and is a huge issue with the constitutional rights.

I ask for a unfavorable report on this bill as it is written!

# **MSI Testimony on SB 20 and HB 83.pdf**

Uploaded by: Mark Pennak

Position: UNF



President  
Mark W. Pennak

January 20, 2026

## WRITTEN TESTIMONY OF MARK W. PENNAK, PRESIDENT, MSI, IN OPPOSITION TO SB 20 AND HB 83

I am the President of Maryland Shall Issue (“MSI”). Maryland Shall Issue is a Section 501(c)(4), all-volunteer, non-partisan, non-profit organization dedicated to the preservation and advancement of gun owners’ rights in Maryland. It seeks to educate the community about the right of self-protection, the safe handling of firearms, and the responsibility that goes with carrying a firearm in public. I am also an attorney and an active member of the Bar of the District of Columbia and the Bar of Maryland. I recently retired from the United States Department of Justice, where I practiced law for 33 years in the Courts of Appeals of the United States and in the Supreme Court of the United States. I am an expert in Maryland Firearms Law, federal firearms law and the law of self-defense. I am also a Maryland State Police certified handgun instructor for the Maryland Wear and Carry Permit and the Maryland Handgun Qualification License and a certified NRA instructor in rifle, pistol, personal protection in the home, personal protection outside the home, muzzle loading, as well as a range safety officer. I appear today IN OPPOSITION to SB 20 and its cross-file, HB 83 (“the Bill”).

### **The Bill**

This Bill amends MD Code, Family Law, § 4-504 to impose additional disclosure requirements on petitioners seeking a protective order from domestic abuse to include whether the respondent has a Handgun Qualification License (“HQL”) or owns or possesses a firearm. If the respondent has an HQL or a firearm, then the Bill requires the Petitioner to state whether the petitioner has an HQL or owns or possesses a firearm along with a long list of other information regarding firearms owned or possessed by the respondent.

The Bill would amend MD Code, Family Law, § 4-504.1 to provide that an interim protective order SHALL ORDER THE RESPONDENT TO SURRENDER TO LAW ENFORCEMENT AUTHORITIES ANY FIREARM IN THE RESPONDENT’S POSSESSION, AND TO REFRAIN FROM POSSESSION OF ANY FIREARM, FOR THE DURATION OF THE INTERIM PROTECTIVE ORDER. An interim order issued under Section 4-504-1 may be entered by a court “commissioner and where the “commissioner finds that there are reasonable grounds to believe that the respondent has abused a person eligible for relief. Such orders are entered *ex parte*, without any hearing and are based solely on the contents of the petition for a protective order. MD Code, Family Law, § 4-504.1(b).

The Bill would also amend MD Code, Family Law, § 4-505 to impose the same disqualification whenever a “TEMPORARY PROTECTIVE ORDER” is issued under that section of the code. Section 4-505(a) provides that “[i]f, after a hearing

on a petition, whether *ex parte* or otherwise, a judge finds that there are reasonable grounds to believe that a person eligible for relief has been abused, the judge may enter a temporary protective order to protect any person eligible for relief from abuse.” The Bill specifically **deletes** existing language found in Section 4-505(a)(2)(viii) that conditions an order directing the seizure of firearms on findings that the respondent used a firearm against the petitioner or threatened the petitioner with a firearm or otherwise inflicted or threatened to inflict “serious bodily harm” on the petitioner.

The amendments made to Section 4-504.1 and Section 4-505 are incorporated into the final protective orders authorized by MD Code, Family Law, § 4-506(c)(1). Section 4-506(c)(1)(ii) provides that a final protective order may be entered “if the judge finds by a preponderance of the evidence that the alleged abuse has occurred.” Section 4-506(f) provides that “[t]he final protective order shall order the respondent to surrender to law enforcement authorities any firearm in the respondent's possession, and to refrain from possession of any firearm, for the duration of the protective order.” Nothing in Section 4-506 conditions that firearms disqualification on any finding that the respondent has engaged in or threatened physical harm or misused a firearm in any way. Indeed, Section 4-506(c)(3)(ii) authorizes “mutual final protective orders” against both the petitioner and the respondent “only if the judge makes a detailed finding of fact that: 1. both parties acted primarily as aggressors; and 2. neither party acted primarily in self-defense.”

The Bill also amends MD Code, Family Law, § 4-506.1 to impose new requirements associated with any surrender of a firearm by a respondent under these sections. Those requirements provide under Section 4-506(a)(2): (2) THE RESPONDENT SHALL SUBMIT AN AFFIDAVIT TO THE COURT AND ANY RELEVANT LAW ENFORCEMENT AGENCY TO THAT EFFECT SIGNED UNDER PENALTY OF PERJURY 8 WITHIN BUSINESS DAYS AFTER SERVICE OF THE ORDER. (3) IF THE RESPONDENT HAS LAWFULLY SOLD OR TRANSFERRED A FIREARM WITHIN THE PRIOR 30 DAYS, THE RESPONDENT SHALL SUBMIT THE TRANSFER PAPERWORK TO THE COURT AND ANY RELEVANT LAW ENFORCEMENT AGENCY WITHIN 2 BUSINESS DAYS AFTER SERVICE OF THE ORDER.

The Bill amends MD Code, Family Law, § 4-509 to extend its enforcement provisions to the amendments made by the Bill. Under Section 4-509(b), a failure to comply with the any protective order including the newly minted disqualifications imposed by the Bill or the affirmative duties, is a misdemeanor punishable (1) for a first offense, a fine not exceeding \$1,000 or imprisonment not exceeding 90 days or both; and (2) for a second or subsequent offense, a fine not exceeding \$2,500 or imprisonment not exceeding 1 year or both.

## The Disarmament Provisions Violate the Fourth Amendment and Article 26 of the Maryland Declaration of Rights.

The first issue is that this Bill amends both Section 4-504-1 (interim protective orders) and Section 4-505 (temporary protective orders) to allow a seizure of firearms without any showing of probable cause. As amended, Section 4-504-1 authorizes the seizure of firearms via an interim protective order based on a finding “that there are reasonable grounds to believe that the respondent has abused a person eligible for relief.” See Section 4-504-1(b). As amended, Section 4-505(a) authorizes a temporary protective order to seize firearms if “a judge finds that there are reasonable grounds to believe that a person eligible for relief has been abused.”

By mandating seizures of personal property based solely on “reasonable grounds” the amendments made by the Bill violate the Fourth Amendment. Maryland’s Attorney General has taken the official position that a “reasonable grounds” standard “The Fourth Amendment to the United States Constitution provides: “The right of the people to be secure in their persons, . . . and effects, against unreasonable searches and seizures, shall not be violated, **and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation . . .**” (Emphasis added). Article 26 of the Maryland Declaration of Rights provides: “That all warrants, without oath or affirmation, to search suspected places, or to seize **any person or property**, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend suspected persons, without naming or describing the place, or the person in special, are illegal, and ought not to be granted.” Emphasis added. “Article 26 of the Maryland Declaration of Rights provides that “all warrants, without oath or affirmation, to search suspected places, or to seize **any person or property**, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend suspected persons, without naming or describing the place, or the person in special, are illegal, and ought not to be granted.” Emphasis added. Article 26 provides “the same protections as the Fourth Amendment.” *Rovin v. State*, 488 Md. 144, 183 (2024).

These constitutional provisions apply to any seizures of personal property, regardless of terminology. “[T]his Court has never interpreted the warrant requirement of the Fourth Amendment to require a particular label.” *Whittington v. State*, 474 Md. 1, 25 (2021). Courts in Maryland have thus held that the failure to use the word “warrant” does not absolve a court order of its “probable cause” burden. See *Whittington*, 474 Md. at 27. See also *Yith v. Nielsen*, 881 F.3d 1155, 1166 (9th Cir. 2018) (noting a warrant is a “writ directing or authorizing someone to do an act, esp. one directing a law enforcer to make an arrest, a search, or a seizure” (quoting Black’s Law Dictionary (10th ed. 2014))); *In re Subpoena Duces Tecum*, 228 F.3d 341, 348 (4th Cir. 2000) (“A warrant is a judicial authorization to a law enforcement officer to search or seize persons or things.”); *United States v. Leon*, 468 U.S. 897, 920 n.21 (1984) (“A warrant is a judicial mandate to an officer to conduct a search or make an arrest . . .”); *Utah v. Strieff*, 579 U.S. 232, 240 (2016). The protective orders for the seizure of firearms authorized by this Bill are

unquestionably “warrants” within the meaning of the Fourth Amendment and Article 26 of the Maryland Declaration of Rights.

In *United States v. Place*, 462 U.S. 696, 701 (1983), the Supreme Court held that “the Court has viewed a seizure of personal property as per se unreasonable within the meaning of the Fourth Amendment unless it is accomplished pursuant to a judicial warrant issued upon probable cause and particularly describing the items to be seized.” See also *United States v. Jacobsen*, 466 U.S. 109, 113 (1984) (“A ‘seizure’ of property occurs when there is some meaningful interference with an individual’s possessory interests in that property.”). A warrant based on probable cause is therefore indisputably required for the seizure of personal property unless some recognized exception applies. See *Illinois v. McArthur*, 531 U.S. 326, 331 (2001). A search warrant is properly issued upon a showing of probable cause that the object of a search is “located in a particular place and, therefore, safeguards an individual’s interest in the privacy of his home and possessions against the unjustified intrusion of the police.” *Steagald v. United States*, 451 U.S. 204, 213 (1981). The United States Supreme Court just reaffirmed that the probable cause standard applies where the inquiry concerns “the requisite likelihood of finding criminal contraband or evidence.” *Case v. Montana*, No. No. 24–624 607 U.S. ---, 2026 WL 96690 at \*5 (Jan. 14, 2026). Seizing “contraband” and “evidence” (firearms) is exactly what this Bill unconstitutionally permits under the lesser standard of “reasonable grounds.”

Stated simply, “reasonable grounds” is not “probable cause.” In *United States v. Carpenter*, 585 U.S. 296 (2018), the Supreme Court held that a court order failed to comply with the Fourth Amendment where the statute under which the order issued only required “‘reasonable grounds’ for believing records were ‘relevant and material to an ongoing investigation,’” a standard that the Court ruled “falls well short of the probable cause required for a warrant.” *Id.* at 317 (emphasis added). Likewise, the Maryland Supreme Court has repeatedly held that “the term ‘reasonable grounds’ . . . means ‘reasonable articulable suspicion’ and *not preponderance of the evidence or probable cause.*” *Motor Vehicle Admin. v. Shepard*, 399 Md. 241, 254 (2007) (emphasis added).

This point was stressed in *Motor Vehicle Admin. v. Kraft*, 452 Md. 589, 607 (2017), where the Court stated that it “has interpreted the ‘reasonable grounds’ standard to mean ‘reasonable articulable suspicion’ and to be a lower standard than preponderance of the evidence or probable cause.” *Id.* (quoting *Shepard*, 399 Md. at 254; citing *Motor Vehicle Admin. v. Dove*, 413 Md. 70, 95 (2010); *Motor Vehicle Admin. v. Shea*, 415 Md. 1, 19 (2010)); see also *Motor Vehicle Admin. v. Usan*, 486 Md. 352, 365 n.4 (2024) (“We have explained that “reasonable suspicion requires less in the way of quantity and quality of evidence than is required for probable cause and it falls considerably short of satisfying a preponderance of the evidence standard.”).

Given this precedent it is not surprising that the Attorney General of Maryland recently stated to the Maryland Supreme Court that “reasonable grounds” is a

different, lesser standard, than “probable cause.” See *Willey v. Brown*, 489 Md. 319 (2024) (“The State Defendants now argue that ‘reasonable grounds’ ... can be less than probable cause.”). Put simply, amending Section 4-504-1 and Section 4-505 to allow seizures of personal property (firearms) based on nothing more than “reasonable grounds” would make those Sections unconstitutional under the Fourth Amendment and Article 26 of the Maryland Declaration of Rights. The Bill thus violates the Warrant Clause and the Maryland Constitution.

### **The Bill Violates the Second Amendment**

The constitutionality of the firearms disqualifications imposed by these Sections violates the right to keep and bear arms under the Second Amendment. Under *NYSRPA v. Bruen*, 597 U.S. 1 (2022), as construed and applied in *United States v. Rahimi*, 602 U.S. 680 (2024), any disqualification is unconstitutional unless “relevantly similar” or “distinctly similar” restrictions were imposed during the Founding era of 1791. Those provisions of the Family Law Article allow a protective order for “abuse,” but, as detailed below, that term is not limited to and does not require a prior finding that a respondent has inflicted actual physical harm or posed a credible risk of physical harm.

These amendments to the Family Law article are thus much broader than the federal qualification specified by 18 U.S.C. § 922(g)(8)(C)(i), the portion of Section 922(g)(8) adjudicated in *Rahimi*. Section 922(g)(8)(C)(i) imposes a federal firearms disqualification on a person who is subject to a court order that “includes a finding that such person represents a credible threat to **the physical safety** of such intimate partner or child.” (Emphasis added). *Rahimi*, sustained that provision as historically justified. See 602 U.S. at 693 (“Our analysis starts and stops with Section 922(g)(8)(C)(i) because the Government offers ample evidence that the Second Amendment permits the disarmament of individuals who pose a credible threat to the physical safety of others.”).

**None** of protective order provisions, including the sections amended by this Bill conditions the firearms disqualification on any such finding. Indeed, the Bill actually **repeals** existing provisions of Section 4-505 that linked **misuse** of firearms to the seizure authorized by that Section. In contrast, in *Rahimi*, the individual (Rahimi) had been previously found by a court to pose a credible threat to the physical safety of another and the Court sustained the disqualification based on that prior judicial finding. In so holding, the Court also rejected the government’s argument that only “responsible” individuals enjoyed Second Amendment rights. See 602 U.S. at 703 (“in holding that Section 922(g)(8) is constitutional as applied to Rahimi, we reject the Government’s contention that Rahimi may be disarmed simply because he is not ‘responsible.’”).

After *Rahimi*, any disqualification imposed by a protective order that is not based on a finding that the respondent “represents a credible threat to the **physical safety** of such intimate partner or child” is likely to fail. This focus on dangerousness was outcome-determinative in *Range v. United States*, 124 F.4th 218 (3d Cir. 2024) (*en*

*banc*), where the Third Circuit very recently held, post-*Rahimi*, that the firearms disqualification imposed on a non-violent misdemeanor under 18 U.S.C. § 922(g)(1), was unconstitutional under *Bruen* and *Rahimi* as applied to the plaintiff in that case. See also *United States v. Williams*, 113 F.4th 637, 658–61 (6th Cir. 2024), *cert. denied sub nom Boima v. United States*, 145 S.Ct. 1099 (2025) (post-*Rahimi*, distinguishing between crimes that “pose a significant threat of danger,” and crime that that posed no such risks). We have found no historical tradition at the Founding that imposed disarmament based on non-dangerous behavior that did not pose a credible threat of physical harm.<sup>1</sup>

This Bill fails to meet that standard. Section 4-504(a) authorizes the issuance of a protective order “under the circumstances specified in § 4–504.1(a) of this subtitle.” Section 4-504.1(a) incorporates the definitions set forth in Section 4-501(b), which are broadly applicable to “this subtitle.” Section 4-501(b)(1) defines “abuse” to include “false imprisonment” and “revenge porn.” For a child, the abuse is defined by cross reference to MD Code, Family Law, §5-701(b)(1)(i) as including “the physical **or mental injury** of a child under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed.” These definitions do not necessarily constitute “a credible threat to the **physical safety**” of any person, much less the type of prior, individualized determination of the type required by federal law as adjudicated in *Rahimi*. To survive a challenge under *Rahimi*, any firearms disqualification must be limited to circumstances in which a court has made a **previous finding** that the respondent poses “a credible threat to the physical safety” of the petitioner. This Bill eliminates that requirement, and it does so on nothing more than an impermissible “reasonable grounds” basis. The Bill thus imposes firearms disqualification in violation of the Second Amendment.

### **The Disqualification Provisions Violate the Due Process Clause**

The interim and temporary protective order provisions amended by this Bill mandate the imposition of the firearms disqualification without so much as hearing at which the respondent has an opportunity to be heard, including the right to cross-examine witnesses and present evidence. This Bill thus further departs from the disqualification imposed by Section 922(g)(8), because Section 922(g)(8) conditions the disqualification upon a hearing at which the respondent has a full right to participate. Section 922(g)(8)(A) imposes such disqualification only “after a hearing

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<sup>1</sup> The risk of harm or dangerousness is an issue presently before the Supreme Court in *United States v. Hemani*, No. 24-1234, *cert. granted*, 2025 WL 2949569 (Oct. 20, 2025). In that case, the United States is defending the constitutionality of the firearms disqualification imposed by 18 U.S.C. § 922(g)(3) for being an “unlawful user” of marijuana under federal law. Oral argument in *Hemani* is set for March 2, 2026, and a decision is expected by the end of the Term in June. The filings in that case are available from the Supreme Court's docket at <https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/24-1234.html>. A decision in *Hemani* will likely control the Court's disposition of the petition for certiorari filed in *Fooks v. State*, 490 Md. 458 (2025), *petition for cert. pending*, No. 25-325 (filed Sept. 2, 2025), currently scheduled for distribution for the Feb. 20, 2026, Conference. A Supreme Court GVR order (“grant, vacate and remand”) in light of *Hemani* is likely. Such an order would strip *Fooks* of precedential or binding effect and require a “do over.”

of which such person received actual notice, *and at which such person had an opportunity to participate.*” (Emphasis added). *Ex parte* hearings do not qualify. As noted, there is no such right to participate accorded by Section 4-504.1 or Section 4-505.

Allowing the seizure of property and imposing a disqualification on a constitutional right allowing the respondent due process is a fundamental violation of an individual’s right to be heard under the Due Process Clause of the Fourteenth Amendment. Lawful owners of firearms have a Second Amendment right to possess their firearms and may be deprived of that constitutional right only after receiving proper notice and a opportunity to be heard. See *Cleveland Board of Education v. Loudermill*, 470 U.S. 532, 543 (1985); *Board of Regents v. Roth*, 408 U.S. 564, 577–78 (1972). And because possession of firearms is constitutionally protected by the Second Amendment, that right to be heard must include more elaborate procedural rights—such as the rights to present evidence, to cross examine adverse witnesses, and to be represented by counsel. See *Zinermon v. Burch*, 494 U.S. 113, 127 (1990) (“the Court usually has held that the Constitution requires some kind of a hearing before the State deprives a person of liberty or property”). *Ex parte* proceedings cannot be used to strip people of their constitutional right to keep and bear arms. See *Henry v. County of Nassau*, 6 F.4th 324, 334 (2d Cir. 2021) (holding that *ex parte* proceedings could not be used to justify stripping a person of his Second Amendment rights).

The procedures associated with Sections 4-504.1 and 4-505 proceedings come nowhere close to meeting these requirements. It is not until a final protective order proceeding under Section 4-506 do respondents have **any** right and opportunity to be heard and even that provision does not purport to guarantee the right to cross-examine witnesses or submit evidence. See Section 4-506(a). And that post-deprivation hearing could come as much as six months after the entry of the temporary order. See Section 4-505(c)(2). That delay is intolerable. A post-deprivation hearing is constitutionally sufficient only where there is “necessity of quick action” or “impracticality.” *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 436 (1982). The disqualifications imposed by this Bill are after a hearing in which notice **could have been provided** and thus are not dependent on any need for quick action or any showing of “impracticality.”

### **The Bill Violates the Fifth Amendment Privilege Against Self-Incrimination**

Remarkably, the Bill amends Section 4-506.1 to require the respondent to “SHALL SUBMIT AN AFFIDAVIT TO THE COURT AND ANY RELEVANT LAW ENFORCEMENT AGENCY TO THAT EFFECT SIGNED UNDER PENALTY OF PERJURY WITHIN 2 BUSINESS DAYS AFTER SERVICE OF THE ORDER.” It further requires the respondent to “SUBMIT THE TRANSFER PAPERWORK TO THE COURT AND ANY RELEVANT LAW ENFORCEMENT AGENCY WITHIN 2 BUSINESS DAYS AFTER SERVICE OF THE ORDER.” Any failure to make these statements presumably may be punishable as contempt of court. A false statement made under penalties for perjury is a serious offense punishable under

MD Code, Criminal Law, § 9-101(b) by imprisonment for a term “not exceeding 10 years.” A failure to submit such an affidavit or the “transfer paperwork” is a criminal misdemeanor punishable by a fine and/or imprisonment under Section 4-509.

These provisions compel the respondent to be a witness against himself in violation of the Fifth Amendment. In *Haynes v. Unites States*, 390 U.S. 85 (1968), the Supreme Court struck down part of the National Firearms Act that allowed the use in a criminal prosecution information that the law required to be submitted during the registration process. The Court reasoned that the person making the compelled information “realistically can expect that registration will substantially increase the likelihood of his prosecution” and “facilitate his prosecution.” *Id.* at 977. The *Haynes* Court thus held “that a proper claim of the constitutional privilege against self-incrimination provides a full defense to prosecutions either for failure to register a firearm under § 5841 [of the NFA] or for possession of an unregistered firearm under § 5851 [of the NFA].” 390 U.S. at 100.

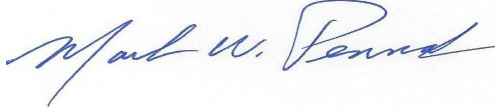
In response to *Haynes*, Congress amended the National Firearms Act to eliminate the registration requirement. Instead, Congress established a whole new system where a transferee of an NFA item is not required to register. Under those amendments, only the transferor registers the item and is not allowed to transfer the item until the government confirms that the transferee may take possession. Thus, the transferee becomes registered without having to make any statements. This system was sustained by the Supreme Court in *United States v. Freed*, 401 U.S. 601, 605 (1971). Under those amendments, the transferee is never required to make any statements that could later be used against him or her and the information provided by the transferor is “not available to state or other federal authorities and, as a matter of law, cannot be used as evidence in a criminal proceeding with respect to a prior or concurrent violation of law.” *Id.* at 605-06. See *United States v. Aiken*, 974 F.2d 446, 448 n.3 (4th Cir. 1992). No such assurances are provided by this Bill.

These principles have direct application to the disclosures compelled by the Bill. The protective orders compel dispossession of firearms, as does Section 4-506.1(a)(1)(i), as amended by the Bill. A failure to comply with the protective orders is a misdemeanor offense, punishable by fine and imprisonment. Requiring the respondent to submit a sworn affidavit thus compels the respondent to be a witness that he or she has complied with these criminal provisions. In principle, those compelled statements are indistinguishable from the compelled registration at issue in *Haynes*. As in *Haynes*, a person who fails to submit this “affidavit” or proof of transfer can “reasonably fear” that the failure will increase the risk of prosecution. *Haynes*, 390 U.S. at 97. The information or the required affidavit

create “hazards of incrimination” that are both “real and appreciable.” *Id.* No more is required to invalidate these provisions under the Fifth Amendment.

This Bill is not even close to passing constitutional muster. We urge an unfavorable report.

Sincerely,

A handwritten signature in blue ink that reads "Mark W. Pennak". The signature is written in a cursive style with a large initial 'M' and 'P'.

Mark W. Pennak  
President, Maryland Shall Issue, Inc.  
mpennak@marylandshallissue.org

**sb20.pdf**

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Position: INFO

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CHAIR

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## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** Senate Judicial Proceedings Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** Senate Bill 20  
Family and Law Enforcement Protection Act  
**DATE:** January 16, 2026  
(1/20)

### INFORMATIONAL COMMENT PAPER

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The Judiciary respects the separation of powers doctrine and acknowledges that the legislature is the policy-making branch. As such, the Judiciary has no position on the policy aims of this legislation and defers to the legislative branch on such matters.

The Judiciary only writes to point out that under § 4-506.1(d)(1), it states that a respondent may retake possession of the firearm at the expiration of an interim protection order. However, this bill does not provide for the surrender of firearms under an interim order and neither does current law. Further, the legislation requires that a respondent submit an affidavit, if that respondent does not possess a firearm, to both the court and any relevant law enforcement agency. As the court has no investigative authority in these matters, submitting the affidavit to the court is unnecessary.

cc. Hon. Shelly Hettleman  
Judicial Council  
Legislative Committee  
Kelley O'Connor