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—
Chair
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THE MARYLAND HOUSE OF DELEGATES
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TO: Vice Chair Davis and Members of the Judiciary Committee

FROM: Delegate J. Sandy Bartlett, Esq.

FAVORABLE – HB 83 – FAMILY AND LAW ENFORCEMENT PROTECTION ACT

Good afternoon, Vice Chair Davis and distinguished members of the House Judiciary Committee. I'm writing in support of House Bill 83: The Family and Law Enforcement Protection Act. HB 83 prevents domestic abusers from having access to firearms after protective orders have been issued against them.

This bill provides several safeguards to protect survivors of domestic violence:

First, HB 83 requires that every individual filing a petition for relief from abuse include information about whether the respondent has been issued a valid handgun license or permit and whether they own or possess a firearm. If the respondent possesses a license or a firearm, additional information, such as the potential location of the firearm, its make and model, and whether the respondent keeps the firearm in their car, must be included in the petition.

Second, HB 83 requires certain measures at every stage of the protective order process. When an interim protective order is granted, the petitioner must be provided safety and support resources, including information for the Maryland Network Against Domestic Violence. For both temporary and final protective orders, the respondent must surrender

any firearm and license or permit to law enforcement and cannot possess or purchase a firearm for the duration of the protective order.

Third, HB 83 adds certain procedures for the respondent's surrender of firearms, including a 24-hour period to surrender or the opportunity to submit an affidavit if the respondent is not in possession of a firearm. Additionally, the bill implements protocols for law enforcement, including the retrieval of the respondent's firearm, written proof of surrender, and procedures for the respondent's noncompliance.

Under current law, there are too many gaps that fail to ensure individuals subject to protective orders do not continue to pose a threat to their victims. In 2024, the Supreme Court affirmed in *United States v. Rahimi* that, “[a]n individual found by a court to pose a credible threat to the physical safety of another may be temporarily disarmed consistent with the Second Amendment.”¹ This legal framework allows for provisions just like the ones laid out in HB 83 to withstand Second Amendment scrutiny.

Although not every domestic violence case involves the use of a firearm, recent cases illustrate the consequences of easy firearm access. In May 2024, a father in Elkridge killed his wife, daughter-in-law, and daughter, and hurt his adult son before committing suicide. In June 2024, a 12-year-old girl from Baltimore was shot and killed by her mother's former partner, who had previously threatened the family. These stories are not isolated incidents, and instead reflect that each year, dozens of Marylanders lose their lives to domestic violence.

At its core, HB 83 reflects the reality that domestic **violence often does not end when a victim seeks a protective order, and rather, it often escalates**. This bill provides a proactive and life-saving approach to lessen the devastating effects of domestic violence. By strengthening firearm relinquishment law in Maryland, HB 83 will significantly reduce the risk that a perpetrator of domestic violence can use a firearm to harm or kill their victims. Ultimately, Maryland must prioritize the safety of domestic violence victims by ensuring protective orders come with meaningful, enforceable protections.

¹ *United States v. Rahimi*, 602 U.S. 680, 701 (2024)

For these stated reasons, I urge a favorable report on HB 83 and thank you for your consideration.