

Written Testimony of Danielle Veith **SUPPORT HOUSE BILL 4**

TO: Chair Luke Clippinger, Vice-Chair Vanessa Atterbeary, and Members of the Maryland House Judiciary Committee

FROM: Danielle Veith, Takoma Park, MD (District 20)

DATE: January 15, 2020

Thank you, Chairman, Vice-Chairwoman, and members of the Committee, for the opportunity to share my views with you. My name is Danielle Veith, and I reside in Takoma Park, in District 20.

I'm the state chapter leader of Moms Demand Action for Gun Sense in America in Maryland, and I'm here to represent the thousands of Moms Demand Action volunteers and supporters across the state who are asking you to pass House Bill 4. This legislation will extend Maryland's criminal background check law to cover all gun sales, closing the long gun loophole that allows people with dangerous histories to buy rifles and shotguns with no background check and no questions asked.

Criminal background checks are the foundation of any effort to reduce gun violence across America. The system works—more than 3.5 million illegal gun sales have been blocked in the past 20 years. But half of all Americans, including Marylanders, still live in states where a convicted felon, domestic abuser or fugitive can skip a background check by finding an unlicensed seller at a gun show or online. 93 percent of American voters support requiring background checks on all gun sales, including 89 percent of Republicans and 87 percent of gun owners. Background checks are more popular than apple pie or baseball.

Extremists arguing against such sensible legislation would like us to believe that private gun sales are always between responsible gun owners and a neighbor or friend they know well. If that was true, we wouldn't be here asking you to close this dangerous loophole. Today, a private sale is just as likely to involve an unlicensed seller at a gun show, getting around the background check requirement by claiming, regardless of how many guns they sell, to be a private "individual," thereby circumventing federal laws governing licensed dealers. A private sale today looks like a buyer who goes online to find someone selling unchecked firearms nearby, and then meets them in a parking lot, exchanging cash for guns in less than three minutes. Private transfers are a dangerous loophole that allows people who could not pass a criminal background check easy access to guns.

In 2018 alone, there were nearly 1.2 million ads on Armslist.com—like Craig's List for guns—for firearm sales across the country that had no legal requirement for a background check. In Maryland, just in 2018, there were 3,213 ads for rifles and shotguns where no background check was required. That is nearly 70 percent of all firearm sales in our state. That's what research by Everytown for Gun Safety found for just one year, on one website. The investigation revealed a massive marketplace where unchecked gun sales are taking place between complete strangers meeting online, allowing criminals and other prohibited purchasers an easy avenue for access. Criminals know that the internet is the place to go to get armed with no questions asked. This is not just about a "gun show loophole." The unfortunate fact is that the problem is just bigger than that now, because the internet has become one big gun show.

Everytown found that some sales of guns advertised on Armslist were completed after less than three minutes of face-to-face interaction, and with no background check. In some states where investigators posted ads for gun sales, the research found that nearly 1 in 9 prospective buyers on Armslist had criminal records that made them legally

prohibited from possessing a firearm—a rate over 7 times higher than buyers who fail background checks at licensed dealers or in other places they're required.

Criminals know that the internet is the place to go to get armed with no questions asked. The criminal histories uncovered for those Armslist buyers are very disturbing—violent felonies, domestic abuse, drug abuse, and active restraining orders, as well as minors under 18 illegally attempting to purchase firearms.

Maryland law currently requires every gun transfer to include a criminal background check—except for rifles or shotguns sold by unlicensed sellers. For two decades, no matter how you buy a handgun in our state, a background check is required. These checks do not infringe on anyone's second amendment rights—they enforce the law. The only way to ensure that felons, domestic abusers, the severely mentally ill, and other dangerous individuals are truly prohibited from buying guns is by doing a background check. Without checks, criminals can easily obtain a rifle or shotgun by finding an unlicensed seller online or at a gun show. We're asking you to close this loophole by requiring private sellers to run a background through a licensed seller, like the law already requires for all handgun sales.

Critics of background check laws claim they will not make a difference in how guns are sold. But laws do matter. In states without background check laws, Everytown research showed that only 6% of the unlicensed sellers indicated they would require a background check on their sales. In states with background check laws, 84% of the ads clearly stated the sale would require a check. The online firearms marketplace is a clear and present danger, and the only responsible answer is to update Maryland law to require background checks on all gun sales.

When the Brady Handgun Violence Prevention Act was signed into law in 1993, I was a freshman in college and had just gotten my first ever email address. Like most students, I didn't have my own computer, so I had to walk across campus to the computer lab anytime I wanted to send an email. When NICS (the National Instant Criminal Background Check System), was launched by the FBI in 1998, I'd just started my first post-college job as an assistant in the publishing industry. I remember my boss brought me a URL written out on a scrap of paper so that I could show her how to pull up a website. A lot has changed since then. The legislators who passed the Brady Bill could not have known that the private sales they left out of that legislation would become the gigantic loophole they are today.

The private sale loophole for long guns is an unacceptable threat to public safety. The fact that our state law regulates some firearm sales and transfers and not others makes no sense. Handguns are lethal. Rifles are lethal. Shotguns are lethal. All sales and transfers of all lethal firearms should require a background check. Whether it's the *Capital Gazette* in 2018, the Columbia Mall in 2014, or the rise in suicide deaths in our rural counties, it's clear any gun in the wrong hands is dangerous.

House Bill 4 will close this dangerous loophole and help keep our families and our communities safe.

Thank you for your time and consideration.