

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

February 20, 2020

House Bill 636: Opposed

Dear, Chairman Clippinger & Members of the Committee,

Gun storage laws don't work; firearm safety education does.

While we recognize that every accident or illegal use of a firearm by a minor is tragic, it important to keep things in perspective. Voluntary education programs, such as the NRA's EddieEagle GunSafe program, work. Under the current version of Maryland Code, Criminal Law, § 4-104, a person may not store or leave a loaded firearm in a location where the person knew or should have known that an unsupervised child would gain access to the firearm. With current law, HB636 would be unnecessary at best. Maryland Code, Criminal Law, § 3-204 provides, a person may not recklessly engage in conduct that creates a substantial risk of death or serious physical injury to another. The penalty for such conduct is a misdemeanor that carries up to five years imprisonment, a fine of up to \$5,000, or both. It is important to note that while voluntarily choosing to lock firearms should certainly be among the safe storage options parents consider, efforts by the state to mandate such a practice are dangerous and ineffective.

According to analysis by Dr. John R. Lott Jr. and as published in his book *The Bias Against Guns: Safe storage laws have no impact on accidental gun deaths*. The impact of safe storage laws is consistent with existing research indicating that the guns most likely to be used in accidental shootings are owned by the least law-abiding citizens and thus are the guns least likely to be locked up after passage of the law. The safe storage laws thus increase crime yet fail to produce any significant change in accidental deaths or suicides.

In Merced California, an intruder stabbed three children to death with a pitchfork. The oldest child had been trained by her father in firearms use but could not save her siblings from the attacker because the gun was locked away to comply with the state's "safe storage" law. HB636 would change § 4-104 by removing the certificate of firearm and hunter safety exception to the application of the statute. Meaning that even a responsible minor who has acquired such a certificate could no longer have access to firearm without adult supervision in Maryland, allowing responsible minors to be in harm's way.

Teaching children what to do if they find a gun is no different than teaching a child that ovens should always be considered hot, that matches and lighters are not to be played with, or that they should not talk to strangers. Most of us do not make a habit of keeping strangers in our homes, yet no one would debate the importance of educating our children about potential predators. HB636 would change § 4-104 by substituting the term "minor" for "child" throughout the section. This has the effect of applying the firearm storage requirement to situations involving anyone under the age of 18. So why should we not teach our children the importance of firearms safety and then trust our children.

"STOP! Don't Touch! Leave the area! Tell an adult!" These simple commands have been taught to over 24 million children via the Eddie Eagle GunSafe® Program. When children are taught what to do if they find a gun, accidents are much less likely to happen. Gun storage laws don't work; firearm safety education does. Mandating unenforceable firearm storage laws does not work.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Weber". The signature is stylized with a large initial "D" and a long horizontal stroke.

David Weber
Maryland State Director
NRA-ILA