

SB 676- Jaelynn's Law-Support UULM-MD Jan Bird, MD

Uploaded by: Ashley Egan

Position: FAV



Unitarian Universalist Legislative Ministry of Maryland

Testimony in Support of SB 676- Public Safety - Access to Firearms - Storage Requirements (Jaelynn's Law)

TO: Senator William Smith, Chair, and Members of the Judicial
Proceedings Committee

FROM: Janice Bird, MD
Unitarian Universalist Legislative Ministry of Maryland.

DATE: March 15, 2021

We, Unitarian Universalists, believe that we all belong to an interconnected community responsible for the safety and well-being of all. We have seen how gun violence affects all of us, as the effects of one event ripples out into the community. We believe that victims and their family deserve our “thoughts and prayers.” However, when firearms are the cause of their suffering, we should also take steps to prevent this harm, where possible.

We know that Gun Violence affects all of us and we know that common sense gun laws have saved lives! Some of you were Maryland legislators when the Firearms Act of 2013 was signed into law. These measures have been demonstrated to be effective in decreasing gun violence without compromising the rights of law-abiding citizens.

This is the third year we have submitted testimony for the Safe Storage and Child Access Prevention bill that would strengthen current Maryland law by decreasing access to guns by children under the age of 18. We know that unlocked guns in the home will increase the risk of accidental and intentional gun injuries and suicide. Studies have shown that preventing children’s access to guns will decrease suicides by guns and save lives.

The measure before you today is another tool to protect all of us from gun violence. We ask our legislators to stand on the side of love and justice and vote for this bill and others that strengthen Maryland’s gun violence prevention laws.

We urge a favorable report,
Janice Bird, MD

WDC Testimony SB0676-2022_FINAL.pdf

Uploaded by: Beth Tomasello

Position: FAV



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

www.womensdemocraticclub.org

**Senate Bill 676-Firearm Safety-Storage Requirements and Youth Suicide
Prevention (Jaelynn's Law)
Judicial Proceedings Committee – March 15, 2022
SUPPORT**

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2022 legislative session. WDC is one of the Maryland's largest and most active Democratic clubs with hundreds of politically active women and men, including many elected officials.

WDC urges the passage of SB0676. According to a November 2021 report by the Children's Safety Network:

- Firearm suicides are the fourth leading cause of injury death for children ages 10-19.
- Approximately nine children and adolescents ages 10-19 die by firearm each day in the United States; three of those deaths are suicide-related firearm injury.
- Firearm-injury suicide death rates increased by 6.3% per year on average between 2010 and 2019.

In a 2019 study published in [*JAMA Pediatrics*](#), the authors said "it is estimated that 6% to 32% of youth firearm deaths (by suicide and unintentional firearm injury) could be prevented, depending on the probability that an intervention motivates adults who currently do not lock all household firearms to instead lock all guns in their home."

This is the fifth time Delegate Dana Stein has proposed legislation to restrict a minor's access to a firearm, dating back to 2013, when he introduced a bill after the mass shooting at Sandy Hook Elementary School in Newtown, Connecticut. That was nine years ago. We can only speculate how many children's lives would have been saved if the legislature had passed restrictions in 2013. Perhaps Jaelynn Willey would still be with us?

It is common sense that children's lives can be saved if we prevent access to firearms. It has been more difficult than it should be to pass a law penalizing those who are careless about their weapons, and therefore lead to the injury and death of innocent children. We have a moral duty to recognize that it is more important to prevent children's deaths from firearms than it is to protect the rights of careless gun owners who refuse to abide by safe gun practices. Just like the freedom to drive a car and to own a home require certain responsibilities of auto and homeowners, gun owners must be required to



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047. Bethesda. MD 20827

www.womensdemocraticclub.org

take full responsibility for the storage of their firearms. Otherwise, senseless tragedy can ensue -- which it does, time and time again.

Many will argue that there are storage laws on the books in Maryland, and therefore, we do not need further restrictions that would punish brazenly negligent parents. However, our current storage laws only require an external safety lock attached to handguns to prevent accidental discharge. The issue is that children, particularly late middle school and high school students, can still access these weapons. Per the Giffords organization, Maryland currently does not require firearm owners to lock up their weapons and that is the most important aspect of safe storage laws that Maryland is missing.

Creating a stringent law that imposes liability on irresponsible parents is a powerful "stick" and that is just what we need to ensure safe storage compliance. To quote New Mexico State Senator Daniel Ivey-Soto, "A law without penalties is simply a suggestion." We hope that our Maryland legislators, who have proposed and passed excellent common-sense legislation for years, will elevate **this** incredibly important issue this year and vote to protect Maryland's children - including children you know and love - from future injury and death.

We ask for your support for SB0676 and strongly urge a favorable Committee report.

Respectfully,

Leslie Milano
President

SB 676 Written Testimony.docx.pdf

Uploaded by: Camden Weber

Position: FAV

Brady
840 First St. NE Ste. 400
Washington, DC 20002



Testimony of Camden Weber, Manager, State Policy, Brady
Support for SB 676
Before the Maryland Senate Judicial Proceedings Committee
March 15th, 2022

Chairman Smith and distinguished members of the Maryland Senate Judicial Proceedings Committee,

Founded in 1974, Brady works across Congress, courts, and communities, uniting gun owners and non-gun owners alike to end America's gun violence epidemic. 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.

There are evidence-based policy solutions that we know will help to prevent gun violence in Maryland. The bill before you today, SB 676, will encourage responsible and safe firearm storage practices and save lives by updating Maryland's existing child access prevention law to be more inclusive and ensure that fewer minors can, and do, access firearms. **For these reasons, Brady strongly urges the Senate Judicial Proceedings Committee to pass SB 676.**

Nationwide, almost 4.6 million minors live in homes with unsecured guns.¹ A study published by American Academy of Pediatrics in 2018 found that within a sample of parents who owned guns, only one third stored all household firearms locked and unloaded.² Another study showed that over 70 percent of children reported knowing the storage location of the household firearm, and that 1 in 5 parents who reported that their child had never handled the household firearm were contradicted by their child's report.

¹ Deborah Azrael, et al, "Firearm Storage in Gun-Ownning Households with Children: Results of a 2015 National Survey," *Journal of Urban Health* 95 (2018), available at www.doi.org/10.1007/s11524-018-0261-7.

² John Scott, Deborah Azrael, and Matthew Miller, "Firearm Storage in Homes With Children With Self-Harm Risk Factors," *American Academy of Pediatrics* (February 2018), <http://pediatrics.aappublications.org/content/early/2018/02/19/peds.2017-2600.info>.

As a result, 70-90 percent of firearms used in unintentional shooting, school shootings and suicides by minors are acquired from home, or from the homes of friends or relatives.³

Unintentional shootings involving minors are preventable. Among children, 89 percent of unintentional shooting deaths occur in the home.⁴ Studies show that keeping a gun locked and unloaded is associated with a protective effect against unintentional firearm injuries in homes with children and teenagers.⁵ This finding is bolstered by recent research from 2018 showing that Child Access Prevention laws (“CAP laws”) that require safe storage of firearms are associated with a significant reduction in unintentional pediatric firearm injuries.⁶

Tragically, many school shootings are also facilitated by kids or teens having access to unsecured guns at home. A 2019 U.S. Department of Homeland Security analysis of targeted school violence shows that 76 percent of attackers who used firearms obtained the firearm from their parent’s home or the home of another close relative.⁷ In half of those cases, the evidence indicated that the firearm was either readily accessible or not secured in a meaningful way.⁸

Finally, the rate of firearm suicides among children under the age of 18 has steadily increased over the past decade. Over that time, the number of firearm suicides among minors in the United States has doubled from 361 deaths in 2008 to 725 deaths in 2018.⁹ Moreover, a 2019 study found that in as many as 75 percent of youth firearm suicides for which the gun storage method could be identified, the gun was stored loaded and unlocked.¹⁰ The evidence is clear: Having a firearm easily accessible in the home when a family member is at risk of suicide increases the risk of a deadly outcome should that person attempt suicide. Firearms are the most lethal method used in suicide deaths, with a fatality rate of approximately 90 percent.¹¹ Frequently, the decision to harm oneself is oftentimes made abruptly: A quarter of individuals who attempt suicide make the attempt within 5 minutes of deciding to end their lives.¹² This

³ Renee M. Johnson, et al., “Who Are the Owners of Firearms Used in Adolescent Suicides?,” *Suicide and Life-threatening Behavior* 40, no. 6 (2010): 609-611; Guohua Li, et al., “Factors Associated with the Intent of Firearm-related Injuries in Pediatric Trauma Patients,” *Archives of Pediatrics & Adolescent Medicine* 150, no. 11 (1996): 1160-1165; John Woodrow Cox and Steven Rich, “The Gun is Not in the Closet,” *The Washington Post*, Aug. 1, 2018, available at <https://www.washingtonpost.com/news/local/wp/2018/08/01/feature/school-shootings-should-parents-be-charged-for-failing-to-lock-up-guns-used-by-their-kids/>.

⁴ Li, Guohua. “Factors Associated With the Intent of Firearm-Related Injuries in Pediatric Trauma Patients.” *Archives of Pediatrics & Adolescent Medicine* 150, no. 11 (January 1996): 1160. <https://doi.org/10.1001/archpedi.1996.02170360050008>.

⁵ David Grossman et al. “Gun Storage Practices and Risk of Youth Suicide and Unintentional Firearm Injuries,” *JAMA*. 2005 Feb 9;293(6):707-14.

⁶ Emma Hamilton, et al. “Variability of Child Access Prevention Laws and Pediatric Firearm Injuries.” *Journal of Trauma and Acute Care Surgery* 84, no. 4 (April 2018): 613–19.

⁷ “Protecting America’s Schools A U.S. Secret Service Analysis of Targeted School Violence.” United States Secret Service. U.S. Department of Homeland Security United States Secret Service, National Threat Assessment Center, November 2019. <https://www.secretservice.gov/data/protection/ntac/usss-analysis-of-targeted-school-violence.pdf>

⁸ Id.

⁹ National Center for Injury Prevention and Control, US Centers for Disease Control and Prevention. Web-Based Injury Statistics Query & Reporting System (WISQARS) Fatal Injury Reports, National, Regional and States, 1999 to 2018.

¹⁰ The Effects of Child-Access Prevention Laws. (2020, April 22). Retrieved February 02, 2021, from <https://www.rand.org/research/gun-policy/analysis/child-access-prevention.html>

¹¹ Matthew Miller, “The Epidemiology of Case Fatality Rates for Suicide in the Northeast*1.” *Annals of Emergency Medicine* 43, no. 6 (2004): 723–30.

¹² Simon, Olga Von, Alan C. Swann, Kenneth E. Powell, Lloyd B. Potter, M-j Kresnow and Patrick O’Carroll. “Characteristics of impulsive suicide attempts and attempters.” *Suicide & life-threatening behavior* 32 1 Suppl (2001): 49-59.

means that putting barriers in place to prevent easy access to lethal means can delay a suicide attempt in the event of a crisis, giving someone who is struggling more time to seek help. In fact, research supports that storing firearms locked and unloaded can be an effective measure to reduce the risk of suicide.¹³ Importantly, unsafe firearm storage was found to be least likely among families living in states with both CAP laws and stronger firearm legislation.¹⁴

There is a large body of academic research showing that strong CAP laws are associated with significant reductions in rates of suicide and unintentional firearms deaths and injuries among children and teens.¹⁵ In 2004, the *Journal of the American Medical Association* published research finding that child access prevention law enactment is associated with a 26 percent annual reduction in self-inflicted firearm injuries among youth and an 8% decrease in *overall* suicide rates among 14-17 year olds, strongly suggesting that when firearms are inaccessible as a result of these laws minors are not substituting firearms with other methods.¹⁶ Research published in 2020 investigating firearm-related deaths among children aged 0-14 has similar findings: Over a 26-year time period, U.S. states with CAP laws regulating the storage of firearms in households with minors had a 13 percent reduction in firearm fatalities in the specified age group when compared to states with no such regulations.¹⁷

As it pertains to the specific bill language being proposed in Maryland, a variety of states, from Colorado to Massachusetts, Nevada to New York, have adopted similar laws, that impose criminal liability where a minor “may” or “is likely to” gain access to a firearm.¹⁸ This standard ensures that it is not necessary for the minor to have actually *used* the firearm or caused injury, thus helping to prevent tragedies before they happen. It is also appropriate that this proposed bill expands the obligation to prevent all *minors* (under the age of 18) from accessing firearms, as the risks associated with access to unsupervised firearms do not simply dissipate when one turns 16. In fact, firearms are used in 44 percent of suicide deaths by 16- and 17-year-olds.¹⁹

Further, this proposed law does not infringe upon an individual’s Second Amendment right to keep and bear arms in the home — rather, firearm ownership comes with a responsibility to ensure that lethal weapons are not readily accessible to minors who either cannot yet responsibly handle firearms themselves or who are at risk of harming themselves or others. Securing firearms in the home is compatible with a firearm owner's ability to protect the home. There is a wide range of firearm storage

¹³ Shenassa ED, Rogers ML, Spalding KL, Roberts MB. “Safer Storage of Firearms At Home and Risk of Suicide: A Study of Protective Factors in a Nationally Representative Sample,” *Journal of Epidemiology and Community Health*. 2004; 58(10):841-848.

¹⁴ Prickett, Kate C, et al. “State Firearm Laws, Firearm Ownership, and Safety Practices Among Families of Preschool-Aged Children.” *American Journal of Public Health*, vol. 104, no. 6, June 2014, pp. 1080–1086.

¹⁵ The Effects of Child-Access Prevention Laws. (2020, April 22). Retrieved February 02, 2021, from <https://www.rand.org/research/gun-policy/analysis/child-access-prevention.html>

¹⁶ Daniel Webster, et al. “Association Between Youth-Focused Firearm Laws and Youth Suicides,” *JAMA*. 2004 Aug 4;292(5):594-601.

¹⁷ Azad, Hooman Alexander, Michael C. Monuteaux, Chris A. Rees, Michael Siegel, Rebekah Mannix, Lois K. Lee, Karen M. Sheehan, and Eric W. Fleegler. “Child Access Prevention Firearm Laws and Firearm Fatalities Among Children Aged 0 to 14 Years, 1991-2016.” *JAMA Pediatrics*, February 2020. <https://doi.org/10.1001/jamapediatrics.2019.6227>.

¹⁸ Giffords Law Center, “Child Access Prevention,”

<https://giffords.org/lawcenter/gun-laws/policy-areas/child-consumer-safety/child-access-prevention/#:~:text=When%20household%20guns%20are%20not,from%20falling%20into%20young%20hands>.

¹⁹ National Center for Injury Prevention and Control, US Centers for Disease Control and Prevention. Web-Based Injury Statistics Query & Reporting System (WISQARS) Fatal Injury Reports, National, Regional and States, 1999 to 2018.

options available on the market that are affordable and enable the owner of the gun to access it quickly if necessary. Research clearly shows that robust child access prevention and safe storage laws help protect children and reduce the risk of firearm suicide, and unintentional shootings by kids and teens in homes across America.

Brady strongly encourages the Senate Judicial Proceedings Committee to vote in favor of SB 676, which mandates that all firearms be stored inaccessible to children under the age of 18 and will help to prevent injuries and fatalities among children.

SB0676_Jaelynn's_Law_MLC_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0676
Voting Firearm Safety – Storage Requirements and Youth Suicide Prevention
(Jaelynn’s Law)

Bill Sponsor: Senator Smith

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: **FAVORABLE**

I am submitting this testimony in strong support of SB0676 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

This bill would make it a misdemeanor for a person to store or leave a loaded firearm in a location where the person knew or REASONABLY should have known that an unsupervised minor IS LIKELY TO gain access to the firearm. The fines are \$1,000 to \$5,000 and 90 days to 3 years in prison, depending on whether someone was hurt. Additionally, the Public Health Service would be required to create a suicide prevention and safe storage guide that discusses how many people are killed by finding loaded guns in the home. That guide would be available on their website.

Given the number of deaths (and especially children’s deaths) that occur because adults who own guns are not careful about how they store them, this is a very reasonable measure that can prevent so many tragic deaths.

We strongly support this bill and recommend a **FAVORABLE** report in committee.

SB 676_Firearm Safety_Youth Suicide Px - BHSB_FAVO

Uploaded by: Dan Rabbitt

Position: FAV



March 15, 2022

**Senate Judicial Proceedings Committee
TESTIMONY IN SUPPORT**

SB 676 – Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law)

Behavioral Health System Baltimore (BHSB) is a nonprofit organization that serves as the local behavioral health authority (LBHA) for Baltimore City. BHSB works to increase access to a full range of quality behavioral health (mental health and substance use) services and advocates for innovative approaches to prevention, early intervention, treatment and recovery for individuals, families, and communities. Baltimore City represents nearly 35 percent of the public behavioral health system in Maryland, serving over 78,000 people with mental illness and substance use disorders (collectively referred to as “behavioral health”) annually.

Behavioral Health System Baltimore strongly supports SB 676 – Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law). This bill would update Maryland’s current child access prevention (CAP) laws for the first time in 20 years to reflect advancements in technology for safely storing guns and the need for public health education. These commonsense measures will help prevent youth suicide and other unintentional firearm-related injuries.

Death by suicide is on the rise and presents a critical public health challenge. Suicide deaths have increased by 30% in recent decades and is the second leading cause of death for young people aged 15-24. Many middle school and high school aged children seriously consider suicide and go on to make a suicide attempt. In the most recent Youth Risk Behavior Surveillance Survey, 23% of middle school students and 18% of high school students seriously considered suicide and 9% of middle school students reported a suicide attempt. Suicide impacts all age groups and racial/ethnic identities, but suicide risk for Black youth is particularly alarming. Black youth suicide is increasing at the fastest rate of any group and Black youth under 13 are now twice as likely to die by suicide than other racial/ethnic groups.¹

Access to firearms is a significant contributor to youth suicide risk. Adolescents and children in households with unlocked or loaded firearms are twice as likely to die of suicide.² About 2/3 of firearms are stored unlocked and 82% of youth who attempt suicide with a firearm obtained it from a parent or other family member in their household.³ This connection is even more concerning considering demand for firearms in Maryland has skyrocketed. According to the FBI National Instant Criminal Background Check System (NICS), firearm background checks in Maryland have almost doubled since early March 2020 when compared to the previous five years.⁴

As the LBHA for Baltimore City, we believe our state must use every tool in our toolbox to reduce and reverse the increase in youth suicide risk. Commonsense improvements to our CAP laws will reduce youth access to unlocked and loaded firearms and help in the effort to reduce suicide. Addressing loopholes in our current CAP laws and implementing a public awareness campaign to drive behavior can save the lives of vulnerable young people. **We urge a favorable report on SB 676.**

For more information, please contact BHSB Policy Director Dan Rabbitt at 443-401-6142

Endnotes:

¹ Governor's Commission on Suicide Prevention. *Maryland's State Suicide Prevention Plan 2020*. Available at: <https://health.maryland.gov/bha/suicideprevention/Documents/2020%20Maryland%20State%20Suicide%20Prevention%20Plan.pdf>.

² Society for Research in Child Development. *Access to Firearms Increases Child and Adolescent Suicide*. Available at: <https://www.srcd.org/research/access-firearms-increases-child-and-adolescent-suicide>.

³ Harvard School of Public Health. *Means Matter Campaign*. Available at: <https://www.hsph.harvard.edu/means-matter/means-matter>.

⁴ Governor's Commission on Suicide Prevention. *Maryland's State Suicide Prevention Plan 2020*. Available at: <https://health.maryland.gov/bha/suicideprevention/Documents/2020%20Maryland%20State%20Suicide%20Prevention%20Plan.pdf>.

2022 SB676 testimony pdf.pdf

Uploaded by: Debi Jasen

Position: FAV

Judicial Proceedings - SB676 - FAVORABLE

Chair Smith, Vice Chair Waldsteicher, and the Judicial Proceedings Committee;

Please give Senate Bill 676 a FAVORABLE Report.

Since far too many gun owners fail to secure their firearms from children, it's unfortunately necessary to legally require it. I'd additionally love for all guns to come with a trigger lock or similar device, or even a biometric lockbox for smaller guns.

Plenty of people call themselves "responsible gun owners," but I've known some who insist on keeping handguns loaded and where their children can get them. Why their fear of an unlikely attack is greater than their fear for their children is beyond me.

My husband brought up the section on the police, and would like for that to be clarified so that children of police also don't get their hands on guns.

Again, I urge a Favorable Report for SB676, Jaelynn's Law.

Thank you for your consideration.

Sincerely,
Debi Jasen
Pasadena, MD

SB0676 Firearm Safety - Jaelynn's Law.pdf

Uploaded by: Emily Allen

Position: FAV

**Senate Bill 676 Firearm Safety – Storage Requirements and Youth Suicide Prevention
(Jaelynn’s Law)**

Judicial Proceedings Committee

February 23, 2022

Position: SUPPORT

The Mental Health Association of Maryland is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health, mental illness and substance use. We appreciate this opportunity to present testimony in support of Senate Bill 676.

SB 676 establishes additional requirements for firearm storage to prevent access to unsupervised minors. It also requires Public Health Services at the Maryland Department of Health to develop a Youth Suicide Prevention and Firearm Safe Storage guide for families, health and social services providers, and others interested in youth suicide prevention.

The 2018 Youth Risk Behavior Surveillance Survey reported 22.9% of Maryland’s middle school students had seriously thought about killing themselves, with higher rates among female students and students of color. Additionally, 18% of Maryland’s high school students had seriously considered suicide in the past 12 months. Suicide rates are consistently higher amongst LGBTQ youth, black youth, and individuals who have interacted with the juvenile justice and child welfare system.¹

In 2019, suicide was the 3rd leading cause of death for ages 10-34, 35.40% of firearm deaths were suicides, and 40.79% of all suicides were by firearms.² A National Violent Injury Statistics System (NVISS) study across four states and two years found 82% of firearm suicides among youths ages 17 and younger used a firearm belonging to a family member. An additional study found among gun-owning parents who believed their child had never handled their firearm, 22% of the children said that they had.³ Firearms are the most common method of suicide in the United States, and access to a firearm triples the risk of death by suicide.¹

Access to an unsecured firearm elevates suicide risk for all members of the household. With increased gun ownership in Maryland during the COVID-19 pandemic, additional safety requirements and access to critical suicide prevention information are necessary to prevent future deaths by suicide among Maryland’s youth. For these reasons, MHAMD supports SB 676 and urges a favorable report.

¹Governor’s Commission on Suicide Prevention (2020), <https://health.maryland.gov/bha/suicideprevention/Documents/2020%20Maryland%20State%20Suicide%20Prevention%20Plan.pdf>

²American Foundation for Suicide Prevention (2021), <https://aws-fetch.s3.amazonaws.com/state-fact-sheets/2021/2021-state-fact-sheets-maryland.pdf>

³Harvard School of Public Health, <https://www.hsph.harvard.edu/means-matter/means-matter/youth-access/>

For more information, please contact Emily Allen at (443) 901-1588

SB676_JeffreyRubin_FAV.pdf

Uploaded by: Jeffrey Rubin

Position: FAV

March 14, 2022

Jeffrey S. Rubin
Potomac, MD 20854

TESTIMONY ON SB676 –POSITION: FAVORABLE
FIREARM SAFETY – STORAGE REQUIREMENTS AND YOUTH
SUICIDE PREVENTION (JAELYNN’S LAW)

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

FROM: Jeffrey Rubin

My name is Jeffrey Rubin and I am a resident of District 15. I am submitting this testimony in support of SB676, Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law).

Better safety measures are necessary to prevent children’s access to firearms. In recent years approximately one hundred children per year have been killed or injured with firearms in Maryland. A significant fraction of these tragedies have resulted from lax firearm storage practices in the home. Addressing this problem would reduce the incidence of teen suicide, death due to the impulsive anger of youth, and equally tragic consequences that occur when children play with loaded weapons.

SB676 is designed to tackle this problem in multiple ways. Current law states that 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.” Currently, “child” is defined as someone who is less than 16 years old. SB 676 would change that definition to include all youths who are less than 18 years old. This more stringent language is based on the awareness that there is substantial risk for 16 and 17 year olds to seek access to a firearm.

SB676 specifies a three-tiered set of penalties to ensure that the requirement for secure storage of firearms is taken seriously. The failure to follow the standard of safe storage of firearms would result in the least severe punishment, not more than 90 days in prison and/or not more than a \$1000 fine, if the firearm were improperly stored but fortunately did not fall into the hands of a child. If a child did gain access to the firearm, the penalty would be not more than two years in prison and/or not more than a \$2500 fine. If the child gained access to the firearm and that resulted in harm to the minor or another person, then the penalty would be not more than three years in prison and/or not more than a \$5000 fine. This scheme sensibly provides guidelines for punishment that correlate with the consequences of improper storage of the firearm, ranging from the potential to actual failure to prevent access to a child, and finally to a situation in which harm occurred following unsafe firearm storage and the resulting access of a child to the firearm.

SB676 also outlines a detailed plan for the development of a guide to describe how firearms can be safely stored and how to prevent youth suicide. This would be the responsibility of the Deputy Secretary of the Public Health Services with input from a variety of knowledgeable sources and stakeholders, as described in the bill. Likewise, a plan for extensive dissemination of the guide is also outlined in the bill. This public education campaign would serve to ensure that best practices for safe firearm storage in the home would become standard practice. In addition, it would increase public awareness about the risk of suicide in youth and how to deal with it. Together, these measures would reduce the harm that can occur when children gain unsupervised access to firearms.

For all these reasons, I respectfully urge this committee to return a favorable report on SB676.

CAP Testimony SB 676 3-14-22.pdf

Uploaded by: Jim Lieberman

Position: FAV



**TESTIMONY OF THE CRITICAL ISSUES FORUM: ADVOCACY FOR SOCIAL ACTION
ON MARCH 15, 2022 BEFORE THE MARYLAND SENATE JUDICIAL PROCEEDING
COMMITTEE REGARDING SENATE BILL 676 - FIREARM SAFETY – STORAGE
REQUIREMENTS AND YOUTH SUICIDE PREVENTION (JAELYNN’S LAW)**

Honorable Chair William Smith, Vice-Chair Jeff Waldsteicher, and Members of the House Judicial Proceedings Committee:

The Critical Issues Forum: Advocacy for Social Justice (CIF) supports the “Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law)” (SB 676). CIF is a coalition of three synagogues, Temple Beth Ami, Kol Shalom, and Adat Shalom, with over 1750 households that serves as a vehicle for our congregations to speak out on issues that concern the sanctity and primacy of human life. We urge the House of Delegates to pass SB 676 to strengthen current firearm and ammunition storage requirements. In memory of Jaelynn Willey, a 16 year old student at Great Mills High School murdered by a 17 year old classmate who used an unsecured Glock handgun legally owned by his father, SB 676 amends and significantly improves the law by:

1. Requiring that firearms be stored safely and unloaded;
2. Raising the age where guns must be secured from unsupervised young people from 15 to 17;
3. Imposing liability when a responsible person “knew or reasonably should have known that an unsupervised minor is likely to gain access to the firearm”;
4. Including graduated penalties for failing to safely store a firearm that increase based on whether a child gains access and if harm is caused; and,
5. Requiring the Maryland State Department of Health to develop and disseminate a Youth Suicide Prevention and Firearm Safe Storage Guide.

These commonsense modifications to Maryland’s current law for the safe storage of firearms will further protect our State’s youth and their parents from needless tragedy, by preventing unintentional firearm injury, death by suicide and firearm theft. These amendments are particularly important given the increased gun sales in Maryland with an estimated 40% first time gun owners who may not know about the importance of and requirements for safe secure storage practices for firearms.

Safe and secure storage of firearms and ammunition is especially important for children and youth, while still allowing gun owners reasonable access to them. “Pediatric firearm injuries and deaths are an important public health problem in the United States contributing substantially each year to premature death, illness, and disability of children.”¹ The findings

indicated that, “most children who died of unintentional firearm injuries were shot by another child in their own age range and most often in the context of playing with a gun or showing it to others. Children are curious by nature and will touch a firearm even when instructed not to do so, underscoring the importance of adult supervision and the need to store firearms safely out of the reach of children. A landmark study concluded that the first 12 state laws limiting child access to firearms resulted in 23% lower than expected unintentional firearm-related deaths.² Child access prevention laws nationally are associated with a 17% reduction in firearm-related homicides committed by juveniles.³

Marylanders, like so many Americans, are struggling with staggering loss, isolation, and the resultant mental health impacts resulting from the COVID19 pandemic. Properly securing firearms prevents access to weapons and the likelihood of unintentional firearm injury, death by suicide, and firearm theft. We are particularly pleased to support the new provision that directs the Deputy Secretary for Public Health Services to develop a youth suicide prevention and firearm safe storage guide to educate the public and firearm owners about the vulnerability of children and youth and best practices for firearm and ammunition storage.

Although the American Academy of Pediatrics recommends that household firearms be stored safely, fewer than 1 in 3 households with children follow this guidance.⁴ Adherence to the AAP safe storage guidelines for firearms significantly reduces adolescent injuries and deaths: youth suicides could decline substantially if only an additional 20% of gun owning households began safely storing their firearms;⁴ a later study found confirmed that these laws were associated with a 10.8% reduction in firearm suicides overall and an 11.1% reduction in suicide rates for older youth age 18-20.⁵ As this study noted, these “laws may encourage gun owners . . . [with young children] to adopt safe practices that endure” after their children are older, and “may increase awareness and change social norms to encourage gun owners to secure firearms”

As parents, grandparents, neighbors, and citizens of Maryland, we urge the Committee to support SB 676 and prevent firearm tragedies by strengthening existing child access to firearms prevention provisions. Maryland leaders understood the great importance of preventing firearm access to young people when they passed the current safety provisions. These straightforward amendments are consistent with Maryland and other State firearm laws across the country. Common sense will save the lives of Maryland children!

The Critical Issues Forum requests that the Committee favorably refer SB 676.

¹ Fowler KA, Dahlberg LL, Haileuesus T, et al. Childhood Firearm Injuries in the United States. *Pediatrics*. 2017;140(1): e20163486.

² Cummings P, Grossman DC, Rivara FP, Koepsell TD. State gun safe storage laws and child mortality due to firearms. *JAMA*. 1997;278:1084-1086.

³ Anderson DM, Sabia JJ, & Tekin E. Child access prevention laws and juvenile firearm-related homicides. *Journal of Urban Economics*, Volume 126, November 2021.

⁴ Monuteaux, Michael C., et al. Association of Increased Safe Household Firearm Storage with Firearm Suicide and Unintentional Death Among US Youths, *JAMA Pediatrics*, 2019;173(7):657-662. doi:10.1001/jamapediatrics.2019.1078.

⁵ Webster, Daniel W., et al. “Association Between Youth-Focused Firearm Laws and Youth Suicides.” *JAMA*, 2004;292:594. doi:10.1001/jama.292.5.594

BaltimoreCounty_FAV_SB0676.pdf

Uploaded by: Joel Beller

Position: FAV



JOHN A. OLSZEWSKI, JR.
County Executive

JOEL N. BELLER
Acting Director of Government Affairs

JOSHUA M. GREENBERG
Associate Director of Government Affairs

MIA R. GOGEL
Associate Director of Government Affairs

BILL NO.: Senate Bill 676

TITLE: Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

SPONSOR: Senator Smith

COMMITTEE: Judicial Proceedings

POSITION: **SUPPORT**

DATE: March 15, 2022

Baltimore County **SUPPORTS** Senate Bill 676 - Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law). This legislation would strengthen firearm safety regulation for those firearms stored near minors and require the State to put out a Youth Suicide Prevention and Firearm Safety Guide.

The COVID-19 pandemic has led to an increase in cases of depression and anxiety among children. This, along with a lack of stringent rules for firearm safety storage, can have devastating impacts on young people and their families. Since taking office, Baltimore County Executive Johnny Olszewski has worked tirelessly to ensure these deadly weapons do not fall into the wrong hands, passing landmark legislation in Baltimore County to prevent firearm theft.

Senate Bill 676 protects Maryland's children by establishing greater firearm safety measures for firearms that could be accessible to a minor. This legislation ensures better community safety practices by requiring the State to publish a Youth Suicide Prevention and Firearm Safety Guide for enhanced public information. These measures could be lifesaving for children and families throughout the State of Maryland.

Accordingly, Baltimore County requests a **FAVORABLE** report on Senate Bill 676. For more information, please contact Joel Beller, Acting Director of Government Affairs at jbeller@baltimorecountymd.gov.

(Final)Senate CAP Testimony 2022.pdf

Uploaded by: Karen Herren

Position: FAV



**Testimony in Support of
Firearm Safety - Storage Requirements and Youth Suicide Prevention
(Jaelynn's Law)
SB 676/HB 659
Legislative Director Karen Herren, JD
Marylanders to Prevent Gun Violence**

March 15, 2022

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

Marylanders to Prevent Gun Violence is a statewide, grassroots organization dedicated to reducing gun deaths and injuries throughout the state of Maryland. MPGJV has a particular focus on reducing urban gun violence and gun suicide. **We urge the committee for a FAVORABLE report on Senate Bill 676 to require firearms be stored inaccessible to minors and to establish an education campaign to provide accurate information on child firearm access prevention.**

JAELYNN'S LAW

On March 20, 2018, a 17-year-old student gained access to his father's gun, entered Great Mills High School in Maryland and shot and killed 16-year-old Jaelynn Willey and injured a 14-year-old boy. A strong Child Access Prevention law can help reduce unintentional shootings and youth suicides as well as incidents where a youth in crisis impulsively acts to harm others. At least 80% of school shooters obtain the firearm used from their home or those of relatives or friends.¹ In honor of Jaelynn Willey and aiming to save others, SB 676 has been designated "Jaelynn's Law."

This year's legislation, while notably similar to prior years, has a number of adjustments. First it reorders some of the language to improve the clarity of the law regarding what applies to hand guns and what applies to long guns. Second, it makes adjustments to the legal standard to determine whether or not a person adequately stored their firearm. The standard utilized ("knew or *reasonably* should have known that an unsupervised minor *is likely* to gain access") is mirrored in at least 11 other jurisdictions which can provide guidance to courts in Maryland while this law is in its early days. Lastly, this year's legislation adds an education component which is to be organized and

¹<https://www.washingtonpost.com/news/local/wp/2018/08/01/feature/school-shootings-should-parents-be-charged-for-failing-to-lock-up-guns-used-by-their-kids/>

maintained online by the Maryland Department of Health. This material will focus on what safe storage looks like and the mandates the new law places on gun owners. Public education is critically important to the underlying purpose of this legislation, to improve gun owner storage habits and reduce entirely preventable child gun access shootings.

CHILD ACCESS PREVENTION or CAP laws are laws that permit authorities to criminally charge adults who, knowingly or through negligent behaviors, permit children to have access to firearms. There are no CAP laws at the federal level and no federal laws mandating safe storage. Current federal law does require gun transfers to include “a secure gun storage or safety device” and provides some legal immunities to the lawful owner who uses these devices. There is proposed CAP legislation (Ethan’s Law) at the federal level. Maryland has a current CAP law that provides little guidance, does not address older children, and has minor consequences for violations. Maryland does not have a generally applicable safe gun storage mandate for gun owners. Strong CAP laws can significantly reduce:

- Unintentional incidents involving children,
- Youth suicide,
- Intentional incidents by youth in crisis (including school shootings), and
- Gun thefts which lead to legal firearms being diverted into the criminal market.

The presence of unlocked guns in the home increases the risk of both unintentional and intentional gun injuries. In the U.S. approximately 4.6 million kids live in homes with a loaded, unlocked gun.² Between 2009 and 2018, gun suicides of minors increased by 82%.³ With respect to youth suicides, approximately 80% of the time the owner of the firearm was either a parent or another relative.⁴ Firearms are the second-leading cause of death for children under 18 both in the U.S. and in Maryland.⁵ Between 2015 and 2018 more than 35,000 American children were shot before their 18th birthdays. **91% of children killed with guns in high-income countries are killed in the U.S.**

- In 2019, 3,817 children were killed or injured by firearms in the U.S.
- In 2020, that number jumped to 5,141.
- In 2019, at least 98 children were killed or injured with firearms in Maryland.

² Deborah Azrael, Joanna Cohen, Carmel Salhi, and Matthew Miller, “Firearm Storage in Gun-Owning Households with Children: Results of a 2015 National Survey,” *Journal of Urban Health* 95, no. 3 (2018): 295–304.

³ Centers for Disease Control and Prevention, Web-based Injury Statistics Query and Reporting System (WISQARS), “Fatal Injury Reports,” last accessed June 26, 2020, <https://www.cdc.gov/injury/wisqars>. Calculations include children ages 10–17.

⁴ Renee M. Johnson, PhD, MPH, Catherine Barber, MPA, Deborah Azrael, PhD, David E. Clark, MD, and David Hemenway, PhD, “Who are the owners of firearms used in adolescent suicides?” *Suicide and Life-Threatening Behavior* (December 2010)

⁵ Centers for Disease Control and Prevention, Web-based Injury Statistics Query and Reporting System (WISQARS), “Fatal Injury Reports,” last accessed June 29, 2021, <https://www.cdc.gov/injury/wisqars>. Calculations include children ages 0–17 and were based on the most recently available data: 2015 to 2019.

- In 2020, at least 94 children were killed or injured with firearms in Maryland.
- As of February 16, 2022, there have already been 640 children and teens killed or injured by gun violence in the United States.

Gun violence has become so normalized in this country that some look at these numbers and dismiss the problem as inconsequential. None of this is normal. And critically, unintentional youth access to guns is preventable. Modest improvements in firearm storage practice have been shown to notably reduce youth firearm deaths.⁶ Laws preventing children’s access to guns are associated with significant reductions of suicides by guns.⁷

YOUTH ACCESS TO FIREARMS IS A PUBLIC HEALTH CRISIS

Premature death among youth, especially from preventable causes, is an enormous loss of potential life. The second leading cause of death of children under 18 is firearms, representing 15% of deaths.⁸ Breaking things down further, suicide is the [second](#) leading cause of death in the 10-14 age category (596 deaths) and the 15-24 age category (6,211 deaths). Public and behavioral health experts tell us that when we reduce the lethality of suicide attempts, we provide the person in crisis with the opportunity to get the help that they need to get well. Fewer than 10% of people who attempt suicide and survive go on to die by suicide. Restricting youth access to firearms is one way that we can help youth in crisis from hurting themselves or others. According to the [Harvard T.H. Chan School of Public Health](#) in their extensive “Means Matter” analysis, “every study that has examined this issue to date has found that within the U.S., access to firearms is associated with increased suicide risk.” In fact, in one study adolescent suicides were 72% more likely to have a gun in the home. About 85% of attempts with a firearm are fatal. Firearms are quick and irreversible. There is no turning back once the trigger is pulled.

“Too often youths use their parents’ guns. An [NVISS study](#)⁹ of firearm suicides among youths ages 17 and under occurring over a two-year period in four states and two counties found that 82% used a firearm belonging to a family member, usually a parent. When storage status was noted, about two-thirds of the firearms had been stored [unlocked](#).”

THE STATE OF AFFAIRS IN MARYLAND

⁶ Monuteaux MC, Azrael D, Miller M. “Association of Increased Safe Household Firearm Storage With Firearm Suicide and Unintentional Death Among US Youths.” JAMA Pediatr. Published online May 13, 2019. doi:10.1001/jamapediatrics.2019.1078

⁷ Daniel W. Webster, ScD, MPH; Jon S. Vernick, JD, MPH; April M. Zeoli, MPH; Jennifer A. Manganello, PhD, MPH; et al, “Association Between Youth-Focused Firearm Laws and Youth Suicides.” JAMA. 2004;292(5):594-601

⁸ Leading cause of death is motor vehicle accidents accounting for 20% of deaths; third cause is cancer accounting for 9% of deaths. https://www.americashealthrankings.org/explore/health-of-women-and-children/measure/child_mortality_a/state/ALL

⁹ NVISS or National Violent Injury Statistics System maintained by the Harvard School of Public Health

Current Maryland law requires gun owners to store firearms away from where a child under the age of 16 would gain access. There is no requirement to lock firearms or to store them unloaded. The American Academy of Pediatrics recommends that gun owners store all household firearms locked and unloaded. Maryland's current law is not in line with this recommendation and does not apply if the child is 16 or 17 years old. The [National Shootings Sports Foundation](#) recommends that unloaded firearms be secured with a locking device and/or in a locked cabinet, safe, firearm vault or storage case. They further recommend that ammunition be stored in a locked location separate from firearms and out of the reach of children. Jaelynn's Law is needed to provide clearer gun storage guidelines for Marylanders to follow and to reduce the number of these completely preventable tragedies.

Compounding the risk created by unsecured firearms is the escalating number of gun owners in the state of Maryland. Gun sales in Maryland more than doubled in 2020.¹⁰ The number of approved licenses to buy or own a regulated firearm jumped from 47,093 in 2019 to 95,502 in 2020. An estimated 40% of these buyers were first time gun owners.¹¹ The combination of these numbers and the percentage of gun purchasers who are not utilizing adequate storage methods is a deadly combination for our children.

Safer storage of firearms will reduce youth and young adult suicides by making it harder for those acting impulsively to gain access. Firearms are an extremely effective method of attempting and completing suicide. Behavioral characteristics associated with adolescence, such as impulsivity, feelings of invincibility, and curiosity about firearms make this a particularly important age to protect.

NOTABLE CAP CASES IN MARYLAND

As illustrated in shocking detail by the shooting at Oxford High School in Michigan in November 2021, parents and gun owners need to take more responsibility in assuring that the firearms that they own are kept out of the hands of youth. We have reached a crisis point and we must take steps to shift the culture on this issue. But we need not look to Michigan for egregious examples of gun owners' failures to secure their firearms. Instances of children gaining access to firearms happen regularly here in Maryland and are not isolated cases.

- In September 2020, an 11-yr-old Baltimore boy was injured when he gained access to a firearm while home [alone](#).
- Also in September of 2020, a three-year-old gained access to a gun and shot himself in the [hand](#).
- On Christmas Day 2020 in Charles County, 17-year-old Edwin [Juarez](#) was shot and killed when his 13-year-old friend inadvertently fired the weapon the teenagers were handling.

¹⁰ Over 2019 numbers.

¹¹ <https://thedailyrecord.com/2021/04/22/gun-sales-booming-in-maryland-data-shows/>

- In March of 2018 at Great Mills High School in St. Mary's County, a 17-year-old, used his father's firearm to kill 17-year-old Jaelynn Willey and injure 14-year-old Desmond Barnes before taking his own life.
- In [January](#) of 2022 a rookie NYPD officer was killed and another officer wounded with a gun stolen five years ago by a 13-year-old Baltimore boy from his security guard mother.
- In [January](#) of 2022, a 15-year-old boy shot and killed his mother and eight-year-old brother, and wounded his father with a firearm registered to his father just a few months after the boy had demonstrated significant signs of mental distress and urges to commit violence.

None of these kids should have had access to a firearm. Safe storage would have prevented these tragedies and many more like them. We can prevent future tragedies by making sure that youth access to firearms is reduced through mandates to store them in the safest way possible.

The sensible strategies set forth in this piece of legislation provide much needed protection while respecting the right to own and possess a firearm. **MPGV urges the committee to vote FAVORABLY on SB 676 to strengthen Maryland's law governing gun owner responsibility for a child's access to firearms.**

2022 LCPCM SB 676 Senate Side.pdf

Uploaded by: Larry Epps

Position: FAV



Committee: Senate Judicial Proceedings Committee

Bill Number: Senate Bill 676

Title: Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

Hearing Date: March 15, 2022

Position: Support

The Licensed Clinical Professional Counselors of Maryland (LCPCM) supports *Senate Bill 676 – Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)*.

This bill is needed to help address youth suicide in the state. According to state data, 16.2% of high school students reported they had planned how they would attempt suicide in the past 12 months.ⁱ Firearms are the most common method of suicide, and a suicide attempt with a firearm is more likely to be fatal than attempts involving other methods.ⁱⁱ Because 48% of suicides involve less than 10 minutes of deliberation, it is imperative that children do not have unsupervised access to lethal firearms.ⁱⁱⁱ

We also think it is essential that this bill includes a requirement that MDH develop a youth suicide prevention guide for youth service providers. The vast majority of firearm owners want to be responsible with their firearms, but they may not fully understand the importance of storing their firearms in a way that is inaccessible to older children. It is vital that providers have the resources they need to discuss the importance of firearm storage with families.

We ask for a favorable report. If we can provide any further information, please contact Scott Tiffin at stiffin@policypartners.net.

i

<https://health.maryland.gov/bha/suicideprevention/Documents/2020%20Maryland%20State%20Suicide%20Prevention%20Plan.pdf>

ⁱⁱ <https://www.acpjournals.org/doi/10.7326/M13-1301>

ⁱⁱⁱ <https://www.hsph.harvard.edu/means-matter/means-matter/duration/>

2022 - SB676 - Firearm Safety - Storage Requiremen

Uploaded by: Martha Nathanson

Position: FAV



CARE BRAVELY

SB676 – Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law)

Judicial Proceedings Committee

March 15, 2022

Testimony of Martha Nathanson, Vice President, Government Relations and Community Development
Position: **SUPPORT**

I am pleased to **SUPPORT** SB - Firearm Safety – Storage Requirements and Youth suicide Prevention (Jaelynn’s Law) - which requires gun owners to use safety equipment in storing their guns, and also provides for public awareness of the proper methods of gun storage, as a means of reducing tragic death and injury in youth. LifeBridge Health is a regional health system comprising Sinai Hospital of Baltimore, an independent academic medical center; Levindale Geriatric Center and Hospital in Baltimore; Northwest Hospital, a community hospital in Baltimore County; Carroll Hospital, a sole community hospital in Carroll County, and; Grace Medical Center in Baltimore (formerly Bon Secours Hospital).

Through its network of hospitals, clinics, physician offices and other provider settings, LifeBridge Health treats victims of violence. Sinai Hospital is a Level II Regional Trauma Center, where victims of gunshots are routinely treated. In FY21, 170 Trauma Center patients (8%) were brought there due to a gunshot wound and 21 patients (1%) brought to the Trauma Center were brought due to suicide attempts. Suicide accounts for 19% of Sinai’s trauma fatalities. Furthermore, of the 7 child suicides in Baltimore City over the last 5 years, 2 children died because of self-inflicted gunshot wounds in homes with inappropriately accessible guns.¹

Meeting Community Health Needs. We strongly support the elements of HB659 that require a public health campaign in the form of a Youth Suicide Prevention and Safe Firearm Storage Guide. Enabling individuals and communities to prevent violent injury and death is critical not only to improving the survival and ultimately health outcomes of residents but also to breaking the cycle of violence. Every three years, hospitals conduct Community Health Needs Assessments to glean their communities’ priorities for health care. Beginning in 2015, feedback from our communities indicated that violence was a key concern and that exposure to violence challenged their ability to achieve optimum health outcomes. As a result of this feedback, LifeBridge Health established the “Center for Hope,” expanding existing responses addressing violence and establishing new programs. Our team expanded as well to regularly help families and children with loved ones lost to gun violence. The safe storage requirements and the public health campaign elements of this bill make sense as a means of preventing suicide and gun violence, and for all the above reasons, we urge a **FAVORABLE** report on SB676.

Contact:

Martha D. Nathanson, Esq., Vice President, Government Relations & Community Development, LifeBridge Health
mnathans@lifebridgehealth.org (443) 286-4812

Adam Rosenberg, Esq., Executive Director, Center for Hope rosenberg@lifebridgehealth.org (410) 601-HOPE

¹ <https://health.baltimorecity.gov/sites/default/files/2021%20Baltimore%20City%20CFR%205-Year%20Report.pdf> (page 50).

_SB 676 Testimony ML.pdf

Uploaded by: Melissa Ladd

Position: FAV

Good afternoon. Chairman Smith, Vice-Chair Waldstreicher and members of the committee, my name is Melissa Ladd. I live in Olney, in District 19.

I am here in support of SB 676 and I ask for a favorable report out of committee.

- Firearms are the leading cause of death for America's children and teens.
- More than half of current gun owners do not store their firearms securely.¹
- 4.6 million children live in a home with an unsecured firearm²
- 80% of school shooters get the gun from their home or the home of a friend or family member³

Studies show that households that locked both firearms and ammunition were associated with a 78% lower risk of self-inflicted firearm injuries and an 85 percent lower risk of unintentional firearm injuries among children and teens, compared to those that locked neither. Another study estimated that if half of households with children that have at least one unlocked gun switched to locking all their guns, one-third of youth gun suicides and unintentional deaths could be prevented.

Secure storage prevents shootings by disrupting unauthorized access to firearms. The bottom line is that it is adults' responsibility to secure guns to keep children from accessing them. We need to do more in Maryland to ensure that adults do all they can to keep guns out of the hands of children.

Next week on Sunday March 20th, it will have been four years since Jaelynn died after being shot at her school. In honor of her, it's time to pass Jaelynn's law.

Thank you for your time.

¹ <https://hub.jhu.edu/2018/02/22/more-than-half-gun-owners-do-not-safely-store-their-guns/>

² <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2789269>

³ <https://www.cdc.gov/mmwr/preview/mmwrhtml/mm5209a1.htm>

SB0676-JPR-FAV.pdf

Uploaded by: Natasha Mehu

Position: FAV



BRANDON M. SCOTT
MAYOR

Office of Government Relations

*88 State Circle
Annapolis, Maryland 21401*

March 15, 2022

SB 676

TO: Members of the Senate Judicial Proceedings Committee
FROM: Natasha Mehu, Director, Office of Government Relations
RE: Senate Bill 676 - Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law)
POSITION: SUPPORT

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 676.

SB 676 strengthens Maryland’s current law which prohibits an individual from leaving a loaded firearm in a location where the person should have known an unsupervised child would gain access to the firearm. The penalty for violating the current law is a misdemeanor with a maximum \$1,000 fine. SB 676 requires that firearms be stored unloaded and in a secure manner, creates a three-tiered penalty system, and requires the State Department of Health to develop relevant public education materials.

Unsafely stored firearms are a major source of weapons used by children and teenagers to commit violence against themselves and others. Approximately 4.6 million US children live in homes where at least one firearm is stored unlocked and loaded.¹ According to a survey of parents who own guns, only one in three households safely store all firearms, regardless of whether a child in the home has a history of depression, ADHD, or other mental health conditions.² This is especially alarming since four-fifths of adolescent firearm suicides take place in the young person’s home.³

Storing a gun locked and unloaded while keeping ammunition in a separate locked location is associated with a reduction in firearm injuries in homes with children. A 2020 review of gun policies by RAND Corporation found that child access prevention policies are amongst the most effective laws to prevent gun violence.⁴ This thorough evaluation found that child access prevention laws are associated with a decrease in suicides, unintentional injuries and deaths, and violent crime. Furthermore, the RAND report found that these laws are not associated with any increases in gun violence.

A 2019 study estimates that if an additional 20% of gun owners with children safely stored their firearms, hundreds of children's lives could be saved each year.⁵ We cannot wait until Congress passes a federal child access prevention law with a felony penalty that holds gun owners accountable for safely storing firearms. SB 676 will help keep guns out of children’s hands and prevent suicides and unintentional shootings.

For the above reasons, the BCA respectfully requests a **favorable** report on SB 676.

¹ Azrael, D., Cohen, J., Salhi, C. et al. (2018). Firearm Storage in Gun-Owning Households with Children: Results of a 2015 National Survey. *Journal of Urban Health*

² Scott J, Azrael D, Miller M. (2018). Firearm Storage in Homes with Children with Self-Harm Risk Factors. *Pediatrics*

³ Johnson RM, Barber C, Azrael D, Clark DE, Hemenway D. (2010). Who are the Owners of Firearms Used in Adolescent Suicides? *Suicide and Life-Threatening Behavior*

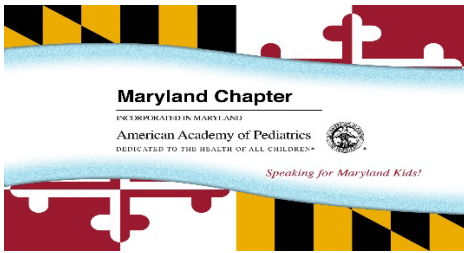
⁴ RAND. (2020) The Effects of Child-Access Prevention Laws. rand.org

⁵ Monuteaux, M. C., D. Azrael, and M. Miller. (2019). Association of Increased Safe Household Firearm Storage with Firearm Suicide and Unintentional Death Among US Youths. *JAMA Pediatrics*

SB0676_FAV_MDAAP_Firearm Safety - Storage Requirem

Uploaded by: Pam Kasemeyer

Position: FAV



TO: The Honorable William C. Smith, Jr., Chair
Members, Senate Judicial Proceedings Committee

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Christine K. Krone

DATE: March 15, 2022

RE: **SUPPORT** – Senate Bill 676 – *Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)*

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **support** for Senate Bill 676.

Senate Bill 676 strengthens Maryland's current requirements for a minor's access to firearms and firearm storage. The bill increases the age of a "child" from 16 to 18 for purposes of application of the storage requirements and specifies the requirements for minors to have access to firearms and for their storage. Senate Bill 676 also strengthens current penalties for failure to store a firearm as specified to include the potential imprisonment not to exceed three years if a minor is harmed as a result of the failure to properly store the firearm. The legislation also requires the Deputy Secretary for Public Health Services to develop a Youth Suicide Prevention and Firearm Safe Storage Guide, with recommendations from a stakeholder committee. The Guide is to be posted on the Maryland Department of Health's website and broadly distributed. The development and distribution of the Guide will enhance efforts to prevent youth suicide and reduce gun related injuries.

It has been well documented that the presence of unlocked guns in the home increases the risk of both accidental and intentional gun injuries. In fact, the vast majority of the guns used in youth suicide attempts and unintentional injuries were guns that were in the residence of the victim, a relative, or a friend. Strengthening Maryland's firearm storage requirements will keep dangerous firearms out of the hands of children and will reduce community and school shootings, unintentional shootings, and youth suicide. Passage of the storage requirements are long overdue. MDAAP urges a favorable report.

For more information call:

Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Christine K. Krone
410-244-7000

MPA Testimony 2022 - Support - SB 676 – Firearm Sa

Uploaded by: Pat Savage

Position: FAV



10480 Little Patuxent Parkway, Ste 910, Columbia, MD 21044. Office 410-992-4258. Fax: 410-992-7732. www.marylandpsychology.org

March 15, 2022

OFFICERS OF THE BOARD

President

Linda McGhee, PsyD, JD

President-elect

Rebecca Resnik, PsyD

Past President

Esther Finglass, PhD

Secretary

Tanya Morrel, PhD

Treasurer

Brian Corrado, PsyD

Representatives-at-large

Shalena Heard, PhD

Jessica Rothstein, PsyD

Representative to APA Council

Peter Smith, PsyD

COMMITTEE CHAIRS

Communications

Robyn Waxman, PhD

Diversity

Whitney Hobson, PsyD

Early Career Psychologist

Meghan Mattos, PsyD

Educational Affairs

Laurie Friedman Donze, PhD

Ethics

Cindy Sandler, PhD

Legislative

Pat Savage, PhD

Membership

Linda Herbert, PhD

Professional Practice

Selena Snow, PhD

PROFESSIONAL AFFAIRS

OFFICER

Paul C. Berman, PhD

EXECUTIVE DIRECTOR

Stefanie Reeves, CAE

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

Bill: SB 676 – Firearm Safety – Storage Requirements and Youth Suicide Prevention

Position: Support

Dear Chair Smith and Members of the Committee,

The Maryland Psychological Association (MPA), which represents over 1,000 doctoral-level psychologists from throughout the state, is writing in support of **SB 676 – Firearm Safety – Storage Requirements and Youth Suicide Prevention**.

With the onset of the recent pandemic, anxiety and stress has increased for all age groups, but particularly for children. Sadly, suicide has become a leading cause of death for young people. Between 2009 and 2018, gun suicides of minors increased by 82%. With respect to youth suicides by firearm, approximately 80% of the time the owner of the firearm was either a parent or another relative.

Unintentional youth access to guns is preventable. Modest improvements in firearm storage practice can significantly reduce youth firearm deaths, and laws preventing children's access to guns are associated with significant reductions of suicides by guns. Reasonable safety requirements for firearm storage make sense. We are also pleased to see that part of this bill includes the development and distribution of educational materials regarding firearm safety. For these reasons, the Maryland Psychological Association asks for a **FAVORABLE** report on Senate Bill 676.

Thank you for considering our comments on SB 676. If we can be of any further assistance, or if you have any questions, please do not hesitate to contact the MPA Executive Director, Stefanie Reeves, MA, CAE at 410-992-4258 or exec@marylandpsychology.org.

Sincerely,

Linda McGhee
Linda McGhee, Psy.D., J.D.
President

R. Patrick Savage, Jr.
R. Patrick Savage, Jr., Ph.D.
Chair, MPA Legislative Committee

cc: Richard Bloch, Esq., Counsel for Maryland Psychological Association
Barbara Brocato & Dan Shattuck, MPA Government Affairs

Takoma Park SB 676 Support.pdf

Uploaded by: Peter Kovar

Position: FAV



CITY OF TAKOMA PARK, MARYLAND

**SB 676
Support**

Senate Judicial Proceedings Committee

Tuesday March 15, 2022

SB 676 – Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law)

City Contact: Peter Kovar, peterk@takomaparkmd.gov

The City of Takoma Park supports and urges favorable consideration of this bill.

This bill is critical to reduce youth suicides and other firearm deaths by ensuring that firearms are safely stored so that they are inaccessible to children.

The City of Takoma Park recognizes the risks associated with youth access to firearms. It is known that when a home contains unlocked guns, the odds of a child or adolescent dying by firearm suicide is more than twice as high than in households where guns are locked.ⁱ Firearms are the most common method of suicide, and a suicide attempt with a firearm is more likely to be fatal than attempts involving other methods.ⁱⁱ

This bill is consistent with Takoma Park’s existing policy and we encourage these safe and common-sense practices to be codified at the state level to protect our youth. The City currently defines “minor” as an individual younger than 18 years of age, which is a provision this bill is suggesting.ⁱⁱⁱ

For these reasons—the critical importance of protecting our youth, participating in common sense safety practices, and considering the unfortunate consequences of access to firearms, the City supports this measure.

In sum, the City of Takoma Park supports SB 676, and encourages a favorable vote.

ⁱ [Youth Suicide Rates Higher in States With More Gun Ownership | Healthiest Communities | US News](#)

ⁱⁱ [The Accessibility of Firearms and Risk for Suicide and Homicide Victimization Among Household Members: A Systematic Review and Meta-analysis: Annals of Internal Medicine: Vol 160, No 2 \(acpjournals.org\)](#)

ⁱⁱⁱ [Chapter 14.16 GUN REGULATION \(codepublishing.com\)](#)

2021 MOTA SB 676 Senate Side.pdf

Uploaded by: Robyn Elliott

Position: FAV



Maryland Occupational Therapy Association

PO Box 36401, Towson, Maryland 21286 ♦ motamembers.org

Committee:	Senate Judicial Proceedings Committee
Bill:	Senate Bill 676 – Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)
Date:	March 15, 2022
Position:	Support

The Maryland Occupational Therapy Association (MOTA) supports *Senate Bill 676 – Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)*. This bill will help reduce youth suicide and other firearm deaths by ensuring that firearms are stored in a way that is inaccessible to children.

In our work in schools, we have seen an increase in the number of children impacted directly by gun violence. We believe the combined strategy of increasing access to behavioral health services and decreasing access to firearms is essential in addressing rising rates of youth suicide and school shootings.

We know that 82% of youth under the age of 18 who attempted suicide by gun used a firearm belonging to a family member, usually a parent.¹ This legislation is urgently needed to save the lives of our students. We ask for a favorable report. If we can provide any additional information, please contact Robyn Elliott at relliott@policypartners.net or (443) 926-3443.

¹ <https://www.hsph.harvard.edu/means-matter/means-matter/youth-access/#:~:text=Source%20of%20Firearms%20in%20Youth%20Suicides&text=An%20NVISS%20study%20of%20firearm,family%20member%2C%20usually%20a%20parent.>

2022 ENA SB 676 Senate Side.pdf

Uploaded by: Robyn Elliott

Position: FAV



EMERGENCY NURSES
ASSOCIATION

Maryland State Council
Safe Practice Safe Care

To: Senate Judicial Proceedings Committee
Miller Senate Office Building
Bladen Street
Annapolis, MD 21401

From: Maryland State Council of the Emergency Nurses Association

Date: March 15, 2022

Re: SB 676 Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law) written testimony

My name is Lisa Tenney and I am providing favorable written testimony on behalf of The Maryland Emergency Nurses Association in favor of SB 676 Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law).

I took care of a 10-year boy named Darren in the Emergency Room who was accidentally shot in the face by his best friend, who was showing Darren his dad’s gun. Darren survived, but he lost his eye, and suffered from life-long brain trauma. Darren’s dreams were shattered all because of natural childhood curiosity and easy access to an unsecured gun. When a child is a victim of gun violence, especially at the hands of another child, lives are forever changed. Everyone involved is devastated. It is impossible to provide consolation to either family. Nurses often carry that secondary emotional trauma forever.

SB 676 is not about the right to own a gun. This bill updates Maryland’s existing law about what constitutes proper storage to prevent senseless deaths, serious bodily injuries such as Darren’s, suicides, and shooting incidents involving minors.

Did you know that approximately 12.5 percent of the people who come to the ER are seeking help for their mental health problems? The Covid 19 pandemic has had a negative impact on adult and pediatric mental health. Maryland's ER beds are overflowing with adults and children with depression and suicidal intent. I have taken care of kids as young as six who want to kill themselves. When children, especially adolescents, are suicidal, they tend to act impulsively. When they get an idea to kill themselves, or someone they feel has harmed them, they seek an easy means of doing it. Kids are familiar with the existence of firearms due to their excessive usage in America's video game and entertainment cultures. Putting physical barriers in the way of impulsive children who decide to solve their problems with firearms is a highly effective injury prevention method.

Reducing access to firearms through proper storage is not too much to ask of a gun owner. However, it is only fair that gunowners be educated on what is required of them. That is why the inclusion of an education program on safe firearm storage is such an important part of this legislation.

Emergency nurses in Maryland's trauma centers care for the victims of unintentional and intentional gunshot wounds every day. The Maryland Emergency Nurses Association strongly supports laws that prevent easy access to unsecured firearms. We ask for a favorable vote on SB 676.

Sincerely,

Lisa Tenney

Lisa Tenney, BSN, RN, CEN, CPHRM, FAEN
Chair, Government Affairs Committee
Maryland State Council Emergency Nurses Association
lctenney@gmail.com
240-731-2736

References:

Emergency Nurse Association. (2019) Firearm safety and injury prevention position statement. <https://www.ena.org/press-room/2019/03/01/ena-board-approves-firearm-safety-and-injury-prevention-position-statement>

Emergency Nurses Association. (2018) Study: In-depth emergency department suicide screenings should become common practice. <https://www.ena.org/press-room/2018/02/22/study-in-depth-emergency-department-suicide-screenings-should-become-common-practice>

Behavioral Health Organizations Sign On to SB 676

Uploaded by: Robyn Elliott

Position: FAV

HB 659/SB 676 Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

A Public Health Strategy to Keep Youth Safe:

Safe Firearm Storage Reduces Risk of Youth Suicide and Firearm Deaths

Youth Suicide: The Crisis in Maryland

Youth suicide is a public health crisis in Maryland. Based on a 2018 survey conducted in Maryland, 22.9% of middle schoolers reported seriously thinking about killing themselves and 18% of high schoolers reported they had seriously considered attempting suicide.ⁱ

Suicide rates are not equal across demographics. The Journal of Community Health reported that the suicide rate among Black females between the ages of 13-19 nearly doubled from 2001-2017.ⁱⁱ During the same time period for Black males ages 13-19, the rate of suicide rose 60%.

Youth Suicide and Firearms Access

Access to firearms is a significant risk factor for adolescent suicides.ⁱⁱⁱ Nationally, between 2015 and 2016, a firearm has been involved in 40% of the over 2,000 annual youth suicides.^{iv} Extensive evidence shows that access to firearms increases the likelihood of death by suicide among youth:

- When a home contains unlocked guns the odds of a child or adolescent dying by firearm suicide is more than **twice** as high as in households where guns are locked.^v
- The risk of suicide by gun is more than **twice** as high in households with loaded guns, as compared to households with unloaded guns.^{vi}

Sound evidence exemplifies the heightened behavioral and public health risks associated with youth access to firearms:

- 85% of suicide attempts with a gun are fatal compared to every other method which has a 5% fatality rate.^{vii}
- 82% of youth under the age of 18 who attempted suicide by gun used a firearm belonging to a family member, usually a parent.^{viii}
- About two-thirds of firearms in homes are stored unlocked.^{ix}
- 75% of children report knowing exactly where firearms are stored in their homes – ultimately risking tragic outcomes.^x

Firearm Deaths by Youth

Maryland's Child Access Prevention legislation is named "Jaelynn's Law" in honor of 17-year-old Jaelynn Willey who was killed at Great Mills High School in St. Mary's County in 2018 when a student in crisis obtained a firearm from a family member. School shootings often imply suicide intentions on the part of the perpetrators, either by themselves or expecting a fatal outcome from authoritative personnel. One of the highest risk factors or warning signs for youth who may be considering a school shooting incident is "access to and experience with weapons" along with indicators such as recent history of violence, past history of violence, history of suicidal behavior and more.^{xi}

Updating Maryland's Law on Firearm Storage: How a few updates can provide significant public health protections

In Maryland, as in other states, legislators protect children from public health risks through common-sense legislation such as requirements for car seats, restrictions on tobacco and alcohol use. Child access prevention (CAP) laws are an effective tool to reduce gun death and injury among children.

Maryland's current law is as follows:

MD Crim Law Code §4-104: Child's Access to Firearms: 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. A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.^{xii}

Maryland's law has not been updated in nearly 20 years. The law should be updated to reflect advancements in technology for safely storing guns and the need for public health education by:

- Adding a requirement that guns and ammunition be stored securely. With advancements in technology, options for safely storing guns and ammunition are commonplace.
- Protecting all minors. The current law only requires adults to limit access to firearms for minors up through age 15. Maryland's own experience shows that minors are still at considerable risk at ages 16 and 17.
- Providing for reasonable penalty provisions. Maryland's options for penalties are limited. Prosecutors need more options in order to tailor penalties appropriately. In addition, research supports the need for consequential penalties because they serve as an important motivator in changing unsafe gun storage behaviors.^{xiii}
- Supporting a public health information initiative. The Maryland Department of Health should provide parents and health care providers information about the importance of safe firearm storage in preventing youth suicides.

The peer-reviewed research supports an update to Maryland's law:

- Estimates suggest that modest increases in the number of American homes safely storing firearms could prevent almost a third of youth gun deaths due to suicide and unintentional firearm injury.^{xiv}
- A number of studies over the past 20 years have found that child access prevention laws can reduce suicide and unintentional gun deaths and injuries among children and teens by up to 54% with the greatest reductions occurring in states which require safe storage of firearms.^{xv}
- A recent study estimated that approximately 100 suicides among 5- to 19-year-olds could be prevented annually if the proportion of unlocked firearms in households with children or adolescents decreased from 50% to 30%.^{xvi}

Safe storage requirements are the best practice for responsible gun ownership. CAP legislation is a simple common-sense policy to protect the health and safety of youth.

i

<https://health.maryland.gov/bha/suicideprevention/Documents/2020%20Maryland%20State%20Suicide%20Prevention%20Plan.pdf>

ii [The Changing Characteristics of African-American Adolescent Suicides, 2001-2017 | Request PDF \(researchgate.net\)](#)

iii <https://www.hsph.harvard.edu/means-matter/means-matter/risk/#:~:text=Twelve%20or%20more%20U.S.%20case,live%20in%20homes%20with%20guns.&text=Firearm%20access%20was%20a%20risk,for%20both%20males%20and%20females.>

iv <https://www.usnews.com/news/healthiest-communities/articles/2019-01-17/youth-suicide-rates-higher-in-states-with-more-gun-ownership>

v <https://www.srcd.org/research/access-firearms-increases-child-and-adolescent-suicide>

vi <https://www.srcd.org/research/access-firearms-increases-child-and-adolescent-suicide>

vii <https://www.hsph.harvard.edu/means-matter/means-matter/risk/>

viii <https://www.hsph.harvard.edu/means-matter/means-matter/youth-access/#:~:text=Source%20of%20Firearms%20in%20Youth%20Suicides&text=An%20NVISS%20study%20of%20firearm,family%20member%2C%20usually%20a%20parent.>

ix <https://www.hsph.harvard.edu/means-matter/means-matter/youth-access/>

x <https://www.nationwidechildrens.org/research/areas-of-research/center-for-injury-research-and-policy/injury-topics/general/gun-safety>

xi <http://jaapl.org/content/jaapl/36/4/544.full.pdf>

xii <https://law.justia.com/codes/maryland/2016/criminal-law/title-4/subtitle-1/section-4-104>

xiii [Reexamining the Association Between Child Access Prevention Gun Laws and Unintentional Shooting Deaths of Children | American Academy of Pediatrics \(aapublications.org\)](#)

xiv <https://giffords.org/lawcenter/gun-laws/policy-areas/child-consumer-safety/safe-storage/>

xv Emma C. Hamilton, et al., “Variability of Child Access Prevention Laws and Pediatric Firearm Injuries,” *Journal of Trauma and Acute Care Surgery* 84, no. 4 (2018): 613–619. See also, Peter Cummings, David C. Grossman, Frederick P. Rivara, and Thomas D. Koepsell, “State Gun Safe Storage Laws and Child Mortality Due to Firearms,” *JAMA* 278, no. 13 (1997): 1084–1086; Daniel W. Webster, Jon S. Vernick, April M. Zeoli, and Jennifer A. Manganello, “Association Between Youth–focused Firearm Laws and Youth Suicides,” *JAMA* 292, no. 5 (2004): 594–601; Jeffrey DeSimone, Sara Markowitz, and Jing Xu, “Child Access Prevention Laws and Nonfatal Gun Injuries,” *Southern Economic Journal* 80, no. 1 (2013): 5–25.

xvi <https://www.srcd.org/research/access-firearms-increases-child-and-adolescent-suicide/#:~:text=A%20recent%20study%20estimated%20that,case%20today%2C%20to%2030%25.>

Please join Marylanders to Prevent Gun Violence &
National Association of Social Workers – Maryland Chapter
in Support of Child Access Prevention Legislation
in the 2022 Maryland General Assembly

American Academy of Pediatrics – Maryland Chapter
American College of Emergency Physicians – Maryland Chapter
Advocates for Children and Youth
Baltimore Behavioral Health Systems
City of Takoma Park
Community Behavioral Health Association of Maryland
Disability Rights Maryland
Licensed Clinical Professional Counselors of Maryland
LifeBridge Health
Maryland Academy of Advanced Practice Clinicians
Maryland Assembly of School-Based Health Care
Maryland Association of Youth Service Bureaus
Maryland State Council Emergency Nurses Association
Maryland Clinical Social Work Coalition
Maryland Nurses Association
Maryland Occupational Therapy Association
Marylanders to Prevent Gun Violence
Maryland Psychiatric Society
Maryland Psychological Association
Maryland School Psychologists Association
Maryland Student Coalition
Mental Health Association of Maryland
NAMI - Maryland
National Association of Social Workers – Maryland Chapter
On Our Own of Maryland
Sheppard Pratt
Stronger Schools Maryland

For more information, please contact Robyn Elliott at relliott@policypartners.net

SB0676 testimony march 2022.pdf

Uploaded by: Ronald Pilling

Position: FAV



The Jesse Klump Memorial Fund, Inc.
P.O. Box 1786 · Berlin, Maryland 21811
443.982.2716 · www.jessespaddle.org · weremember@jessespaddle.org

March 14, 2022

To Members of the Senate Judicial Proceedings Committee

Re: SB0676 – “Jaelynn’s Law,” Firearm Safety -Storage Requirements and Youth Suicide Prevention

I am writing to urge you to give serious consideration to this proposed legislation, which will save the lives of Marylanders from both suicide and accidental injury or death. The Jesse Klump Memorial Fund is the leading suicide prevention outreach and education program on the lower Eastern Shore, with a particular focus on preventing child and youth suicide. *At the JKMF, we are not advocating for the seizure of firearms, nor is anyone else in the wider suicide community. We only ask that firearm owners assume responsibility for the safety of themselves and those around them by adopting safe storage practices.*

- Suicide is the second leading cause of death for youth between the ages of 10 and 24, and the rate has increased every year since 2007. Suicide is often an impulsive act, one which could be prevented by not making a firearm readily available.
- Teenagers turn to guns as a means of suicide more often than ever. The rate of gun-involved suicides increased by 59% from 2010 to 2019, while completed suicides by other means increased by only 27%. The overall rate increase for this period for teens was 60%, so the increase is driven disproportionately by access to guns. (Journal of the American Medical Association)
- In a survey by the American Academy of Pediatricians, over 4.6 million children in the US live in households with unsecured and loaded firearms. Children and adolescents who live in homes with unsecured firearms are four times more likely to die by firearm suicide than kids who live in homes with locked guns, or in homes with no guns (American Academy of Pediatricians).
- Nearly half of completed suicides by children and teens involve guns, and 90% of those used a gun in their own home or a relative’s home. (More than a third of accidental shootings, suicides and homicides that involve guns take place in the home of the child’s relative or friend).

Financial Support
provided by the
Humphreys Foundation
Ocean City MD



The *Jesse Klump Memorial Fund*, a 501 (c)(3) nonprofit corporation, exists to end the tragedy of suicide, to provide a place of healing for those who have lost loved ones to suicide, to financially support scholars of any age who have demonstrated a desire to make the world a better place through original, entrepreneurial community action, and to provide grants for training for healthcare and education professionals dedicated to suicide prevention and mental health.

ARE YOU CONSIDERING SUICIDE? WORRIED ABOUT SOMEONE? CALL 1-800-273-TALK

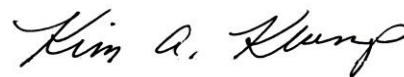
While our mission is to prevent suicide, the incidence of accidental shootings of and by children – many before school age – is of equal importance to parents, friends and families.

- Between 2015 and 2020 there were 2,070 accidental shootings by children, resulting in 765 deaths.
- The pandemic has increased the risk of accidental shootings by children. In 2020, accidental shootings by minors increased by 43% over the prior year (National Center for Health Statistics). Data is not in yet for 2021, but the rate for early in the pandemic year suggests that the total for that year will be a record, topping 400 accidental shootings.
- The vast majority of victims of accidental child shootings – 91% - are under the age of 18. One quarter of those killed in an accidental childhood shooting are 5 or under. While a quarter of the accidental shooters are 5 or under, the most likely group to be either shooters or victims are between the ages of 11 and 17.

No one wants to be the person who made a firearm available that resulted in a tragedy, either suicide or an accidental death. Our eleven years' experience counseling those who have lost loved ones to suicide is replete with stories of tragedies, including multiple suicides within one family, because firearms were left loaded and unsecured.

It is our wish that you consider every safety aspect of “Jaelynn’s Law” and vote to move it forward toward passage in the 2022 session. Trusting in your careful and wise judgment, please accept our gratitude for your studying the data and making the right decision.

Sincerely,



Kim A. Klump, President

Financial Support
provided by the
Humphreys Foundation
Ocean City MD



The *Jesse Klump Memorial Fund*, a 501 (c)(3) nonprofit corporation, exists to end the tragedy of suicide, to provide a place of healing for those who have lost loved ones to suicide, to financially support scholars of any age who have demonstrated a desire to make the world a better place through original, entrepreneurial community action, and to provide grants for training for healthcare and education professionals dedicated to suicide prevention and mental health.

ARE YOU CONSIDERING SUICIDE? WORRIED ABOUT SOMEONE? CALL 1-800-273-TALK

Financial Support
provided by the
Humphreys Foundation
Ocean City MD



The *Jesse Klump Memorial Fund*, a 501 (c)(3) nonprofit corporation, exists to end the tragedy of suicide, to provide a place of healing for those who have lost loved ones to suicide, to financially support scholars of any age who have demonstrated a desire to make the world a better place through original, entrepreneurial community action, and to provide grants for training for healthcare and education professionals dedicated to suicide prevention and mental health.

ARE YOU CONSIDERING SUICIDE? WORRIED ABOUT SOMEONE? CALL 1-800-273-TALK

2022- SB 676- FAV- Firearm Safety_Child Suicide Pr

Uploaded by: Rowan Powell

Position: FAV



On Our Own of Maryland, Inc.
7310 Esquire Court, Mailbox 14
Elkridge, MD 21075

Phone 410.540.9020
Fax 410.540.9024
onourownmd.org

**WRITTEN TESTIMONY IN SUPPORT OF SB 676:
Firearm Safety- Storage Requirements and Youth Suicide Prevention
Judiciary Proceedings Committee - Senate - March 15, 2022**

Thank you Chair Smith, Vice Chair Waldstreicher, and committee members for all your hard work to improve the availability of healthcare services for Marylanders of all ages. My name is Rowan Willis-Powell, and I am here today representing On Our Own of Maryland. We are a statewide behavioral health (BH) peer education and advocacy organization, and our network of 20+ affiliated peer-run Wellness & Recovery Centers located throughout the state offer comprehensive, voluntary recovery support services, free of charge, to community members with mental health and substance use disorders. We also run a statewide Transitional Age Youth (TAY) Outreach Project, which empowers young adults between the ages of 18 and 29 who have experience with the behavioral health system.

On Our Own of Maryland is in strong support of Senate Bill 676. By changing the law to require safe storage of firearms and ammunition when a minor has access to them, and creating a firearm safe storage guide, we are actively engaging in suicide prevention.

I have worked with young adults for the past 9 years, and many of them have struggled with thoughts of suicide. I experienced these feelings myself very intensely as a child. I constantly thought about all of the available options of means that existed in my world, including the guns owned by my father, a police officer. Before I had even disclosed my struggles to my parents, they had already taken the steps to make sure that I would never have access to those weapons by using trigger locks, keeping guns unloaded, storing ammo in a separate location, and using locked, out-of-sight storage with keys in a different secure location. These layers of security ensured that I was never able to attempt suicide with a gun, and I attribute these preventative measures to being a large reason that I'm still here today.

I've dedicated my career to supporting youth who struggle with suicidal ideation, and I want to highlight how access to means can dramatically increase the risk of completing suicide, especially for adolescents. About 5.4 million American children live in a household where there is at least one unlocked and loaded firearm present, and this is especially concerning because 80% of firearm suicide attempts by children involve a gun that belongs to a family member. A 2018 Maryland survey identified that 18% of high schoolers and 22% of middle school students were at high risk for suicide, and the suicide rate has been steadily increasing in our state since 2007. The stress and trauma of COVID has forced children into isolation, increased anxiety and distress, and removed so many wellness and support tools. By reducing the number of unlocked and loaded guns in their homes through this legislation, we are removing a means for harm, and creating more opportunities for youth to reach out for support and help.

It is vital that we take steps as a state to reduce the risk that firearms play for youth who are dealing with suicidal ideation, especially as the trauma and disruption caused by the COVID pandemic continues to impact young people's mental health. Limiting access to means is one of the most effective ways to suicide prevention. **On Our Own of Maryland strongly urges you to support Senate Bill 676.**

SB 676 - Firearm Storage.pdf

Uploaded by: Sarah Miicke

Position: FAV

OFFICERS

RABBI ANDREW BUSCH

President

ELIZABETH GREEN

1st Vice President

THE HON. CHAYA FRIEDMAN

BENJAMIN ROSENBERG

RABBI STEVEN SCHWARTZ

MELANIE SHAPIRO

ROBIN WEIMAN

YEHUDA NEUBERGER

Past President

HOWARD LIBIT

Executive Director

MEMBER ORGANIZATIONS

Adat Chaim Congregation

American Jewish Committee

Americans for Peace Now

Baltimore Chapter

American Israel Public Affairs Committee

American Red Magen David for Israel

American Zionist Movement

Amit Women

Association of Reform Zionists of America

Baltimore Board of Rabbis

Baltimore Hebrew Congregation

Baltimore Jewish Green and Just Alliance

Baltimore Men's ORT

Baltimore Zionist District

Beth Am Congregation

Beth El Congregation

Beth Israel Congregation

Beth Shalom Congregation of

Howard County

Beth Tfiloh Congregation

B'nai B'rith, Chesapeake Bay Region

B'nai Israel Congregation

B'nai Jacob Shaarei Zion Congregation

Bolton Street Synagogue

Chevra Ahavas Chesed, Inc.

Chevrei Tzedek Congregation

Chizuk Amuno Congregation

Congregation Beit Tikvah

Congregation Beth Shalom of

Carroll County

Congregation Tiferes Yisroel

Federation of Jewish Women's

Organizations of Maryland

Hadassah

Har Sinai - Oheb Shalom Congregation

J Street

Jewish Federation of Howard County

Jewish Labor Committee

Jewish War Veterans

Jewish War Veterans, Ladies Auxiliary

Jewish Women International

Jews For Judaism

Moses Montefiore Anshe Emunah

Hebrew Congregation

National Council of Jewish Women

Ner Tamid Congregation

Rabbinical Council of America

Religious Zionists of America

Shaarei Tfiloh Congregation

Shomrei Emunah Congregation

Simon E. Sobeloff Jewish Law Society

Suburban Orthodox Congregation

Temple Beth Shalom

Temple Isaiah

Zionist Organization of America

Baltimore District

WRITTEN TESTIMONY

Senate Bill 676 – Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

Judicial Proceedings Committee

March 15, 2022

SUPPORT

Background: Senate Bill 676 (SB676) would require gun owners to securely store their firearms so that unsupervised minors are unable to gain access to them. Additionally, this bill would require the Department of Health to develop a youth suicide prevention and firearm safe storage guide, with recommendations from a stakeholder committee.

Written Comments: Since the beginning of the pandemic, accidental gunshot deaths by children handling a gun have increased by 31% according to a report by Everytown for Gun Safety. The report further details that and instances of children taking hold of a gun and mistakenly shooting themselves, or others happens almost every single day somewhere in the country. 91% of the victims in these cases were under the age of 18. It is estimated that 5.4 million children are living in a household with a least one loaded and unlocked gun. This is deadly combination for tragedy, which the consequences are already being realized. Most of these shootings take place in homes of the shooter, the victim, a relative or a friend. The solution to this rapidly growing problem is simple: properly locking firearms so that no child can access them.

As Jews we believe that nothing is more important than preserving life. Countless more tragedies involving young people will happen if they are able to continue to access guns in their own homes. Firearms do not belong in the hands of minors.

With this in mind, the Baltimore Jewish Council urges a favorable report of SB676.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.

2022 MASBHC SB 676 Senate Side.pdf

Uploaded by: Scott Tiffin

Position: FAV



Committee: Senate Judicial Proceedings Committee

Bill: Senate Bill 676 – Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

Date: March 15, 2022

Position: Support

The Maryland Assembly on School-Based Health Care supports *Senate Bill 676 – Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)*. The bill seeks to improve children safety and reduce youth suicide by requiring firearms be stored in ways to prevent unsupervised access.

Nationwide, we have repeatedly seen school shooting incidents involving a child using a parent's unsecured firearm. Additionally, there is a plethora of research that show that a firearm in the home increases a child suicide risk. Because of these risks, it is imperative that firearm owners store their firearms and ammunition in a way that prevents access by all children not just children under the age of 16 as is required by current law. This requirement aligns with the best practices that the vast majority of firearm owners follow. The *Youth Suicide Prevention and Firearm Safe Storage Guide* created by this bill is also essential in that it ensures that providers are prepared to discuss the importance of safe firearm storage with families.

We ask for a favorable report on this legislation. If we can provide any additional information, please contact Scott Tiffin at stiffin@policypartners.net.

NASW SB 676 Senate Side.pdf

Uploaded by: Scott Tiffin

Position: FAV

Judicial Proceedings Committee
Testimony in SUPPORT of Senate Bill 773
Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law)

On behalf of Maryland’s Chapter of the National Association of Social Workers (NASW-MD), we ask you to support Senate Bill 773 - Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law). Suicide has been a growing public health crisis for many years and according to the CDC, suicide rates have increased from 1999 to 2019¹. Even more concerning is a 2016 study that found more than 40% of youth (13-17) suicides were the result of a firearm². Since the start of the pandemic in 2020, one in five teens in Maryland have considered suicide³. Given these troubling statistics, social workers are committed to supporting policies to prevent suicide.

What SB 773 does is spell out safety precautions for firearms in the homes of minors to limit access and protect children from impulsive and deadly acts. An advisory council will develop a guide that provides those safety requirements as well as articulate the consequences of unsafe practices. The bill in no way interferes with the right to own guns.

Social workers are frequently behavioral health providers for youth experiencing severe mental health crises. When youth report suicidal ideation, social workers assess the suicidal intent, plans, and means to determine risk. Safety planning includes minimizing youths’ access to deadly weapons through proper storage of firearms. SB 773 provides clear guidance for how to do that, and the Youth Suicide Prevention and Firearm Safe Storage Guide will publicize that guidance.

Suicide is preventable and HB659 will decrease youth’s risk for suicide by limiting access to loaded guns. SB 773 also requires a much-needed information guide to make safety guidance explicit for families and public resources.

Suicide prevention is critical to save lives and decrease the number of preventable deaths amongst young people. As the greatest provider of behavioral health care in the country, social workers stand ready to participate in the Stakeholder Advisory Committee. We ask you to support SB 773.

¹ <https://www.cdc.gov/suicide/facts/index.html>

² Crifasi, CK, et al., “Storage Practices of Gun Owners in 2016. *American Journal of Public Health Association*. April 2018: 532-37.

³ <https://health.maryland.gov/newsroom/Pages/Maryland-Department-of-Health-launches-Youth-Suicide-Prevention-Toolkit-and-MD-Young-Minds-progra.aspx>

2022 MNA SB 676 Senate Side.pdf

Uploaded by: Suhani Chitalia

Position: FAV



Committee: Senate Judicial Proceedings Committee

Bill: Senate Bill 676 – Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

Hearing Date: March 15, 2022

Position: Support

The Maryland Nurses Association (MNA) supports *Senate Bill 676 – Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)*. This bill will help reduce youth suicide and other firearm deaths by ensuring that firearms are stored in a way that is inaccessible to children.

Access to firearms is a significant risk factor for adolescent suicides.ⁱ Nationally, between 2015 and 2016, a firearm has been involved in 40% of the over 2,000 annual youth suicides.ⁱⁱ Extensive evidence shows that access to firearms increases the likelihood of death by suicide among youth:

- When a home contains unlocked guns the odds of a child or adolescent dying by firearm suicide is more than **twice** as high as in households where guns are locked.ⁱⁱⁱ
- The risk of suicide by gun is more than **twice** as high in households with loaded guns, as compared to households with unloaded guns.^{iv}

This legislation takes a commonsense approach by codifying best practice for safe firearm storage for adults around youth. We can save lives of our most vulnerable youth with this legislation. We ask for a favorable report on this legislation. If we can provide additional information, please contact Scott Tiffin at stiffin@policypartners.net.

ⁱ <https://www.hsph.harvard.edu/means-matter/means-matter/risk/#:~:text=Twelve%20or%20more%20U.S.%20case,live%20in%20homes%20with%20guns.&text=Firearm%20access%20was%20a%20risk,for%20both%20males%20and%20females>.

ⁱⁱ <https://www.usnews.com/news/healthiest-communities/articles/2019-01-17/youth-suicide-rates-higher-in-states-with-more-gun-ownership>

ⁱⁱⁱ <https://www.srcd.org/research/access-firearms-increases-child-and-adolescent-suicide>

^{iv} <https://www.srcd.org/research/access-firearms-increases-child-and-adolescent-suicide>

SB 676 - Support - MPS WPS.pdf

Uploaded by: Thomas Tompsett

Position: FAV



March 15, 2022

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

RE: Support – SB 676: Firearm Safety – Storage Requirements and Youth Suicide Prevention
(Jaelynn’s Law)

Dear Chairman Smith and Honorable Members of the Committee:

The Maryland Psychiatric Society (MPS) and the Washington Psychiatric Society (WPS) are state medical organizations whose physician members specialize in diagnosing, treating, and preventing mental illnesses, including substance use disorders. Formed more than sixty-five years ago to support the needs of psychiatrists and their patients, both organizations work to ensure available, accessible, and comprehensive quality mental health resources for all Maryland citizens; and strive through public education to dispel the stigma and discrimination of those suffering from a mental illness. As the district branches of the American Psychiatric Association covering the state of Maryland, MPS and WPS represent over 1000 psychiatrists and physicians currently in psychiatric training.

MPS and WPS support Senate Bill 676: Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law) (SB 676), which strengthens firearms storage requirements to keep children safe and provides education about secure firearms storage and the negative consequences of unsafe storage practices on youth suicide.

Suicide among teens and young adults has nearly tripled since the 1940s. Among the risk factors is easy access to lethal means. The leading causes of death among youth ages fifteen (15) to twenty-four (24) continue to be unintentional injury and homicide, followed by suicide.¹ In the last decade, suicides by firearm in minors have increased substantially (by 82%)¹ and are the second leading cause of deaths for children under 18 in Maryland.² One of the ways to prevent suicide is the restriction of access to lethal means. Additionally, most firearms involved in these deaths by firearms in minors belong to a parent or relative.³ Laws preventing children’s access to firearms reduce the number of suicides by firearm significantly.⁴

Studies suggest that the peak age of onset for having depressive-like symptoms is fourteen (14) to fifteen (15) years of age and the majority of individuals who develop depression experience their first clinically significant episode during the transition from middle to late adolescence (i.e., ages fifteen (15) to eighteen (18) years of age).^{5,6} By nature, children and adolescents are learning to regulate their emotions. Adolescents, in particular, are highly vulnerable to their peers’ influence and opinions; and their ability to communicate how they feel is often overwhelmed by their emotions. For all these reasons, adolescents and young adults are a very vulnerable population for self-inflicted injuries and outward aggression, and guns are a quick and dangerous way to bring their impulses to completion.



MPS and WPS members often encounter well-meaning families who believe that educating their children about the risk of guns is enough. But many children involved in firearm deaths do not reach mental health services and are not exposed to this type of education. The many recent suicide-homicide mass shootings that have taken place across our nation and in Maryland schools are a manifestation of the improper storage of guns by the parents. This bill combines education and requirements that together can keep more children safe from firearm deaths.

MPS and WPS strongly urge you to support SB 676 for it would save the lives of young people by suicide, homicide, and unintentional injury. For all the reasons above, MPS and WPS ask the committee for a favorable report of SB 676.

If you have any questions with regard to this testimony, please feel free to contact Thomas Tompsett Jr. at tommy.tompsett@mdlobbyist.com.

Respectfully submitted,
The Maryland Psychiatric Society and the Washington Psychiatric Society
Joint Legislative Action Committee

References:

1. Centers for Disease Control and Prevention, Web-based Injury Statistics Query and Reporting System (WISQARS), "Fatal Injury Reports," last accessed June 26, 2020, <https://www.cdc.gov/injury/wisqars>. Calculations include children ages 10–17
2. Centers for Disease Control and Prevention, Web-based Injury Statistics Query and Reporting System (WISQARS), "Fatal Injury Reports," last accessed June 29, 2021, <https://www.cdc.gov/injury/wisqars>. Calculations include children ages 0–17 and were based on the most recently available data: 2015 to 2019.
3. Renee M. Johnson, PhD, MPH, Catherine Barber, MPA, Deborah Azrael, PhD, David E. Clark, MD, and David Hemenway, PhD, "Who are the owners of firearms used in adolescent suicides?" *Suicide and Life-Threatening Behavior* (December 2010)
4. Daniel W. Webster, ScD, MPH; Jon S. Vernick, JD, MPH; April M. Zeoli, MPH; Jennifer A. Manganello, PhD, MPH; et al, "Association Between Youth-Focused Firearm Laws and Youth Suicides." *JAMA*. 2004;292(5):594-601
5. Kessler RC, Berglund P, Demler O, Jin R, Merikangas KR, Walters EE. Lifetime prevalence and age-of onset distributions of DSM-IV disorders in the National Comorbidity Survey Replication. *Archives of general psychiatry*. 2005; 62(6):593. <https://doi.org/10.1001/archpsyc.62.6.593> PMID: 15939837
6. Farrington 1986; Dodge et al. 2008; Piquero et al. 2012; Crick and Grotper, 1995 Garber J, Horowitz JL. Depression in children. *Handbook of depression*. 2002:510–40. Ge X, Conger RD, Elder GH Jr. Pubertal transition, stressful life events, and the emergence of gender differences in adolescent depressive symptoms. *Developmental psychology*. 2001; 37(3):404. PMID: 11370915



SB 676 CAP Testimony CIF FAV.pdf

Uploaded by: Woodie Kessel

Position: FAV



**TESTIMONY OF THE CRITICAL ISSUES FORUM: ADVOCACY FOR SOCIAL ACTION
ON MARCH 15, 2022 BEFORE THE MARYLAND SENATE JUDICIAL PROCEEDING
COMMITTEE REGARDING SENATE BILL 676 - FIREARM SAFETY – STORAGE
REQUIREMENTS AND YOUTH SUICIDE PREVENTION (JAELYNN’S LAW)**

Honorable Chair William Smith, Vice-Chair Jeff Waldsteicher, and Members of the Senate Judicial Proceedings Committee:

The Critical Issues Forum: Advocacy for Social Justice (CIF) supports the “Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law)” (SB 676). CIF is a coalition of three synagogues, Temple Beth Ami, Kol Shalom, and Adat Shalom, with over 1750 households that serves as a vehicle for our congregations to speak out on issues that concern the primacy of human life. We urge the House of Delegates to pass SB 676 to strengthen current firearm and ammunition storage requirements. In memory of Jaelynn Willey, a 16 year old student at Great Mills High School murdered by a 17 year old classmate who used an unsecured Glock handgun legally owned by his father, SB 676 amends and significantly improves the law by:

1. Requiring that firearms be stored safely and unloaded;
2. Raising the age from 15 to 17 where guns must be secured from unsupervised minors;
3. Imposing liability when a responsible person “knew or reasonably should have known that an unsupervised minor is likely to gain access to the firearm”;
4. Including graduated penalties for failing to safely store a firearm that increase based on whether a child gains access and if harm is caused; and,
5. Requiring the Maryland State Department of Health to develop and disseminate a Youth Suicide Prevention and Firearm Safe Storage Guide.

These commonsense modifications to Maryland’s current law for the safe storage of firearms will further protect our State’s youth and their parents from needless tragedy, by preventing unintentional firearm injury, death by suicide and firearm theft. These amendments are particularly important given the increased gun sales in Maryland; an estimated 40% are first time gun owners who may not know about the requirements for safe secure storage practices for firearms.

Safe and secure storage of firearms and ammunition is especially important for children and youth, while still allowing gun owners reasonable access to them. “Pediatric firearm injuries and deaths are an important public health problem in the United States contributing substantially each year to premature death, illness, and disability of children.”¹ The findings

indicated that, “most children who died of unintentional firearm injuries were shot by another child in their own age range and most often in the context of playing with a gun or showing it to others.” Children are curious by nature and will touch a firearm even when instructed not to do so, underscoring the importance of adult supervision and the need to store firearms safely out of the reach of children. A landmark study concluded that the first 12 state laws limiting child access to firearms resulted in 23% lower than expected unintentional firearm-related deaths.² Child access prevention laws nationally are associated with a 17% reduction in firearm-related homicides committed by juveniles.³

Marylanders, like so many Americans, are struggling with staggering loss, isolation, and mental health impacts resulting from the COVID19 pandemic. Properly securing firearms prevents unauthorized access to weapons and the likelihood of unintentional firearm injury, death by suicide, and firearm theft. We are particularly pleased to support the new provision that directs the Deputy Secretary for Public Health Services to develop a youth suicide prevention and firearm safe storage guide to educate the public and firearm owners about the vulnerability of children and youth and best practices for firearm and ammunition safety and storage.

Although the American Academy of Pediatrics recommends that household firearms be stored safely, fewer than 1 in 3 households with children follow this guidance.⁴ Adherence to the AAP safe storage guidelines for firearms significantly reduces adolescent injuries and deaths: youth suicides could decline substantially if only an additional 20% of gun owning households began safely storing their firearms.⁴ Another study confirmed that these laws were associated with a 10.8% reduction in firearm suicides overall and an 11.1% reduction in suicide rates for older youth age 18-20.⁵ It also noted that safe storage “laws may encourage gun owners . . . [with young children] to adopt safe practices that endure” after their children are older, and “may increase awareness and change social norms to encourage gun owners to secure firearms . . .”

As parents, grandparents, neighbors, and citizens of Maryland, we urge the Committee to support SB 676 and prevent firearm tragedies by strengthening existing child access to firearms prevention provisions. Maryland leaders understood the great importance of preventing firearm access to young people when they passed the current safety provisions. These straightforward amendments are consistent with Maryland and other State firearm laws across the country. Common sense will save the lives of Maryland children!

The Critical Issues Forum requests that the Committee favorably refer SB 676.

¹ Fowler KA, Dahlberg LL, Haileuesus T, et al. Childhood Firearm Injuries in the United States. *Pediatrics*. 2017; 140(1): e20163486.

² Cummings P, Grossman DC, Rivara FP, Koepsell TD. State gun safe storage laws and child mortality due to firearms. *JAMA*. 1997; 278:1084-1086.

³ Anderson DM, Sabia JJ, & Tekin E. Child access prevention laws and juvenile firearm-related homicides. *Journal of Urban Economics*, Volume 126, November 2021.

⁴ Monuteaux, Michael C., et al. Association of Increased Safe Household Firearm Storage with Firearm Suicide and Unintentional Death Among US Youths, *JAMA Pediatrics*, 2019; 173(7):657-662. doi:10.1001/jamapediatrics.2019.1078.

⁵ Webster, Daniel W., et al. “Association Between Youth-Focused Firearm Laws and Youth Suicides.” *JAMA*, 2004; 292:594. doi:10.1001/jama.292.5.594

DC-W_SB676_UNF.pdf

Uploaded by: Daniel Carlin-Weber

Position: UNF

Daniel J. Carlin-Weber
SB676 Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)
Unfavorable
3/15/2022

I am a professional firearms instructor and advocate of responsible firearms handling and ownership. I teach through my Baltimore City-based company, C-W Defense, and hold numerous credentials related to firearms instruction including being recognized as a Qualified Handgun Instructor by the Maryland State Police. I currently maintain credentials to provide firearms instruction from the National Rifle Association (NRA), United States Concealed Carry Association (USCCA), and the State of Utah's Bureau of Criminal Identification (UT BCI). Since 2016, I have taught Marylanders from all walks of life how to safely operate firearms and the responsibilities that come with them. I come before you today to request an unfavorable report of Senate Bill 676.

Senate Bill 676 demands, with few exceptions, that Maryland gun owners lock up or otherwise restrict access to firearms, loaded or unloaded, from those under the age of 18. Current law, Maryland Criminal Law § 4-104 currently requires that loaded firearms be kept from those under the age of 16 where the owner left it in a place where the minor would gain access to it. A conviction under current law is a misdemeanor not punishable by more than 6 months in jail, whereas the proposed penalties of imprisonment in SB676 are tiered depending on whether a child would have gained access, did gain access, and used the firearm. Proponents of this legislation say that this is too lenient and not a deterrent to poor or irresponsible firearms storage. As someone who trains individuals from various backgrounds, with different incomes, and different lifestyles, I think this part of the legislation is misplaced, as are most of the bills proposed this year and in years past that continues the trend of finding new ways to punish lawful gun ownership under the guise of promoting public safety. The State should at least attempt the approach taken in its proposed

additions to the Health Article first and incentives for safe storage rather than finding more new ways to incarcerate Marylanders. I don't have objections to what's described in Subtitle 39A.

Before any accusation is made that I am against responsible firearms storage or ignorant to the harms that can happen if someone who shouldn't have access to a gun, gets one, I'm well aware. I regularly teach the course under Md. Public Safety Art. § 5-117.1 for issuance of the Handgun Qualification License. Part of those requirements make teaching about safe firearms storage necessary for would-be HQL applicants, and I spend a great deal of time in my courses focusing on how to properly stow firearms when not in use. Generally speaking, firearms should not be accessible to "unauthorized persons," or simply, anyone the owner doesn't want touching their guns, whether that be a child who isn't mature enough or the curious party-goer who's over to celebrate a birthday.

What this looks like is not going to be the same for every gun owner, as with any non-gun-owner, we tend to have different incomes, living situations, family lives, lifestyles, and other considerations that need to be taken into account when thinking about needs. There is no bright-line or black-and-white answer for what is best for one person against another. Some can afford a \$2500 safe. Others only have a budget of a couple of hundred dollars for a locker. Another might not have anything extra for a storage device – all these individuals equally have the right to protect themselves under the eyes of the law (see *District of Columbia v. Heller*, 554 U.S., 570 (2008)). There are different devices for these sorts of considerations, but if the State is going to require that gun owners have them, they should be willing to pay or at least help to pay. As with nearly every other bill on the topic of guns introduced in both chambers this session, average Marylanders are faced

with another compelled choice without any help on compliance but rather potential imprisonment for potential tragedies.

There have been bills introduced before the General Assembly that would waive sales tax the first \$500 spent towards a firearms storage device for many years now. Indeed, there is one such bill this year in House Bill 816. It's an incentive for people to buy devices, rather than a threat of prosecution, and sadly, I don't expect it will even get so much as a vote in its committee. The State hasn't even so much as sought to make advertising campaigns on safe firearms storage. It leaves that work up to people like myself and advocacy groups. Instead, gun owners just get threats of facing police, imprisonment, and otherwise having their lives turned upside-down because they chose to do as millions of Americans do in owning a gun. Requirements on gun ownership cannot be made so burdensome that the ability is effectively curtailed. This is what counterparts of this body in other states do to their residents on different matters, whether it be concerning how they vote or their access to abortion care. It's shameful it happens here too.

I urge an unfavorable report, or alternatively, that the bill be limited to its propositions relating to the Health article.

Daniel J. Carlin-Weber
225 N Calvert St
Baltimore, MD 21202
410-929-1749
dcw@cwdef.com

SB676 HB659 Testimony.pdf

Uploaded by: Jesse Picard

Position: UNF

SB0676/HB659

Jesse Picard

Position: **Opposed**

These bills would place an unreasonable burden on gun owners. Something as simple as using the statement, “reasonably *should* have known” as these bills do, would criminalize the *possibility* of unauthorized access by a minor. This is extreme because there’s the implication that a gun owner must be able to anticipate *all* possibilities of unauthorized access by a minor. That is an impossible standard by any reasonable measure. The requirements proposed would make criminal any gun owner who is responsible and otherwise law abiding who chooses to store a loaded firearm to be accessed for immediate self-defense. For many, the purpose of a firearm in the home *is* self-defense, but these bills would require that firearms be effectively inaccessible and/or inoperable. This defeats the purpose of storage for immediate self-defense and in fact was one of the requirements which was struck down by *Heller*.

What’s more is the “secure location” requirement for ammunition which these bills fail to define. Whether the secure location is a locked safe, simply locked inside the home in an unlocked cabinet, or sitting in plain view on a table within a room which a child is not likely to enter is not clear.

These bills are vague at best in defining acceptable storage practices and carries the potential to expose individuals to unnecessary legal risk through arbitrary and discriminatory enforcement.

I urge an unfavorable report on this extreme bill.

Sincerely,

Jesse Picard

SB0676_Testimony_Unfavorable.pdf

Uploaded by: John Josselyn

Position: UNF



2A Maryland

2A@2AMaryland.org

Senate Bill 676

Public Safety – Access to Firearms – Storage Requirements (Jaelynn’s Law) UNFAVORABLE

Senate Bill 676 changes the scope of the law addressing the storage of firearms on multiple levels. It is punitive in nature because it places additional unnecessary burdens on the lawful ownership of firearms which do not enhance public safety. The point missed by most legislative bodies is simple: It is not possible to legislate safety. Only training can enhance safety.

Bill Provisions:

SB 676 expands the scope of the existing Criminal Law Article §4-104 in various and quite significant ways:

The bill language does define the terms “ammunition” (Page 2, Lines 1-2) and “firearm” by reference to §4-201 of the Criminal Law article.

The definition of the term “child” as a person under 16 years of age (Page 2, Lines 3-4) is deleted and replaced with the term “MINOR,” which is undefined in this section and there is no reference to any other section or statute. This is extremely significant because the term “MINOR” is the crux of the entire bill.

The term “AUTHORIZED ADULT” appears only a single time, and then in the nebulous language “RENDERED INOPERABLE TO ANYONE OTHER THAN AN AUTHORIZED ADULT.” The words “AUTHORIZED” AND “ADULT” are critical components, yet neither these words nor the term “AUTHORIZED ADULT” are defined in this bill. (Page 2, Lines 25-26)

Senate Bill 0676
Unfavorable

The phrase “RENDERED INOPERABLE TO ANYONE OTHER THAN AN AUTHORIZED ADULT,” is excessively vague and subjective. Who will determine exactly who the “AUTHORIZED ADULT” is and exactly what constitutes “INOPERABLE” for any given firearm? Where is the technological difference in what an 18 year old can do, that the same 18 year old could do the week before his or her 18th birthday? (Page 2, Lines 25-26)

Bill Provisions: (continued)

One of the exemptions listed is when the “MINOR” “HAS BEEN GIVEN EXPRESS PERMISSION BY THE MINOR’S PARENT OR GUARDIAN” (Page 3 lines 1-3). The bill language is silent on exactly what constitutes “EXPRESS PERMISSION” and in what form “EXPRESS PERMISSION” must be given and/or documented.

By removing the term “loaded” (Page 3, Line 4) the application of §4-104 is expanded from addressing loaded firearms to include all firearms whether loaded or unloaded.

§4-104 (c) (3) (iii) makes it an offense if “the *firearm causes* harm to the minor or to another person.” (Page 3, Lines 16-17) Several issues are raised by the language in this provision:

1. Should the minor who gained access and/or stole the firearm then give, sell, trade or otherwise transfer the firearm; the rightful owner is now subject to additional penalties based upon the actions taken by the firearm.
2. The language reflects the myopic concept that the firearm, which is an inanimate object, is somehow capable of autonomous actions and the person who holds it bears no responsibility. This belief is at the core of why gun control laws have no impact on public safety or criminal activity.

Bill Penalties:

4-104 (d) (1) The penalty for a simple failure to secure a firearm has been increased from a fine not to exceed \$1,000, to imprisonment not exceeding 90 days and/or a fine not exceeding \$1,000. (Page 3, Lines 21-23)

House Bill 0659
Unfavorable

4-104 (d) (2) The penalty for a failure to secure a firearm coupled with a minor gaining access is imprisonment for a period not exceeding 2 years and/or a fine of \$2,500. (Page 3, Lines 24-26)

4-104 (d) (3) The penalty for a failure to secure a firearm coupled with a minor gaining access with resultant injury inflicted by anyone at any time with no limitations is imprisonment for up to 3 years and/or a fine of up to \$5,000. (Page 3, Lines 27-29)

Note:

Criminal Law Article Section §4-104 (e) (1) states “A violation of this section may not:

- (i) be considered evidence of negligence;
- (ii) be considered evidence of contributory negligence”

However, the multi-tiered penalties noted above certainly appear to attribute some level of responsibility for the subsequent actions of others as a result of someone gaining access to a firearm. (Page 3, Lines 10-17)

Impact on Maryland citizens in general:

As written, SB 676 makes it difficult for law-abiding Maryland citizens to legally own or possess a firearm in Maryland. It effectively negates the citizens’ means to viable self-defense within the home.

Impact on Existing Handgun Qualification License holders:

The Firearms Safety Act of 2013 mandated safety training as a prerequisite to applying to purchase a handgun. Since 2013, approximately 2,265 instructors have trained approximately-240,851 citizens. Part of that training included Maryland gun laws. Oddly, Qualified Handgun Instructors are not included in the listing of entities who should be given access to the “YOUTH SUICIDE PREVENTION AND FIREARMS SAFE STORAGE GUIDE. (Page 5, Lines 3-18) If SB 676 becomes law, nearly a quarter of a million citizens will in possession of obsolete information and will likely become instant criminals. Creating hundreds of thousands of criminals does nothing to enhance firearm safety.

House Bill 0659
Unfavorable

Impact on Handgun Qualification License (HQL) Training:

Last year, an additional 45,549 citizens received training from citizens who are Maryland State Police qualified instructors. Many of the students were first time purchasers taking the class to qualify to purchase a handgun. The HQL course requires the use of working firearms and live fire. Most instructors generously allow the use of their personal firearms for use by those students who do not yet have a firearm or who do not own a specific type of firearm needed to complete the course. SB 676 makes it more difficult and expensive for instructors to possess the number of firearms required to present a comprehensive training class.

Impact on Project ChildSafe:

Under the *Project ChildSafe* Program developed and funded by the National Shooting Sports Foundation (NSSF), law enforcement agencies throughout the state have been distributing firearm cable locks upon request and free of charge for many years. Because these cable locks have been distributed by law enforcement agencies, citizens will erroneously believe they comply with the law. Under the provisions of SB 676, they do not.

Summary

SB 676 is not about public safety. It is about escalating restrictions on the lawful ownership of firearms. It is a statement of unfounded and blind faith in the false promise of gun control as the ultimate solution for the social ills that plague our society.

SB 676 serves only to divert attention from the real problem by pretending to do something. In fact, it is all a deception. When this type of bill passes, the sponsors are quick to praise it, while at the same time laying the groundwork for next year's bill by saying "it is a good first step, but more needs to be done." That more is always more gun control.

To put this issue in a parallel context, according to the Centers for Disease Control (CDC), the death rate due to drug overdoses in Maryland is 38.2 per capita, up from 37.2 per

House Bill 0659
Unfavorable

capita last year. This figure is 170% of the **combined** death rate attributed by the CDC to firearms and homicides. (See Attachment #1)

Do those deaths not matter because they cannot be exploited to further a gun control agenda?

SB 676 would save far more lives if instead of focusing on the storage of firearms, it focused on the safe storage of controlled prescription drugs. (See Attachment #2 for information on the magnitude of the problem caused by unsecured prescription drugs.)

We respectfully request an unfavorable report on Senate Bill 676.

John H. Josselyn
2A Maryland
March 15, 2022

National Center for Health Statistics

Maryland



Key Health Indicators

key health indicators	
Fertility Rate	59.2 (births per 1,000 women 15-44 years of age)
Teen Birth Rate	13.9 (births per 1,000 females 15-19 years of age)
Infant Mortality Rate	5.9 (infant deaths per 1,000 live births)
Life Expectancy (at Birth)	78.5 years (2018)
Marriage Rate	5.6 (marriages per 1,000)
Divorce Rate	2.7 (divorces per 1,000)
Leading Cause of Death	Heart Disease
Drug Overdose Death Rate	38.2 (per 100,000) ¹
Firearm Injury Death Rate	12.6 (per 100,000) ¹
Homicide Rate	10.0 (per 100,000) ¹
COVID-19 Death Rate (Q1, 2021)	126.4 (per 100,000) ²

House Bill 0659
Unfavorable

Attachment #2 – Page 1 of 2

Johns Hopkins Medicine

“What’s in your medicine cabinet?”

A common way that people get opioids illicitly is by taking them out of other people’s medicine cabinets. Opioid medicines should be stored in a locked location.”

Source: <https://www.hopkinsmedicine.org/opioids/how-you-can-help.html>

Department of Justice

“HOW DID THIS OPIOID PROBLEM GET TO MY COMMUNITY?”

Opioids, particularly diverted prescription drugs, often enter the community through the family medicine cabinet, theft and robbery of local pharmacies, and through fraudulent prescriptions.”

Source: <https://www.justice.gov/opioidawareness/opioid-facts>

CDC

According to the CDC, the death rate due to drug overdoses in Maryland is 37.2. This figure is 1.77 times the *combined* death rate attributed to firearms and homicides.

Source: <https://www.cdc.gov/nchs/pressroom/states/maryland/md.htm>

Yale School of Medicine

“The widespread illicit use of opioid painkillers begins more in bathroom medicine cabinets than back alleys, according to new Yale research published in the *Archives of Internal Medicine*.”

Source: <https://medicine.yale.edu/news/medicineatyale/opioid-abusers-have-supplies-close-to-home/>

American Society of Regional Anesthesia and Pain Medicine

“Opioids should be stored in their original packaging inside a locked cabinet, a lockbox, or other secure locations.” Unfortunately, anyone you know may seek out drugs like opioids for illegal use. Don’t keep opioids in obvious places like bathroom cabinets or on kitchen counters where others might find them.”

Source: <https://www.asra.com/page/2725/safe-opioid-storage-tapering-and-disposal>

Attachment #2 - Page 2 of 2

National Center for Biotechnology Information, U.S. National Library of Medicine

“Pharmaceutical opioid prescribing, opioid use disorders, and related poisonings have increased substantially in the last decade. Pharmaceutical opioid deaths among youth have markedly increased. One area that has received relatively little attention is the role of home safety, given that parents are an important source of opioids for youth. Parents may intentionally share opioids with youth, due to low perceived risks or limited knowledge, and youth may divert opioids from parents’ medicine cabinets. Safe medication storage has long been mandated by treatment programs that provide pharmacologically supported treatment of opioid use disorders, but it is not generally encouraged or required for pharmaceutical opioids prescribed for pain. Greater attention is needed on the development, evaluation and implementation of three preventive strategies. These three strategies can be delivered in or supported by adult medical practices: 1) fully informing adults prescribed opioids about the risks of opioids to family members and others; 2) providing locked medication safe storage devices; and 3) educating parents on safe disposal options. However, a critical evidence base is still lacking for these opioid safety interventions.”

Source: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4470841/>

HB659_SB676.pdf

Uploaded by: Karla Mooney

Position: UNF

SB676/HB 659 Firearms Safety – Storage requirements and Youth Suicide Prevention

I oppose this bill for a couple of reasons, one being that when I read it – it looks like you are also taking away the ability of young responsible educated individuals to protect them selves when they are home alone, and the other being the wording is extremely vague, and I am not sure what or how I am to secure my firearms and ammunition.

Dick Heller sued in the Supreme court that we must have the right to protect our selves in our own home. Please do not take this ability away for our most vulnerable. We as a community need to move our focus away from THINGS that we want to get rid of and focus on our community's mental health. The ability to provide counselling to all that are in need.

I request an unfavorable report on this bill.

Karla Mooney

21175 Marigold St

Leonardtown, MD 20650

Resident of District 29C

Multi-discipline Firearms Instructor Maryland QHIC

Maryland State Director for the DC Project

MSI Member

Maryland State Leader for the Armed Women of America (formerly TWAW Shooting Chapters)

MSI Testimony on HB 659 and SB 676 unfavorable saf

Uploaded by: Mark Pennak

Position: UNF



February 23, 2022

WRITTEN TESTIMONY OF MARK W. PENNAK, PRESIDENT, MSI, IN OPPOSITION TO HB 659 AND SB 676

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 Maryland and of the Bar of the District of Columbia. 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 (“HQL”) and a certified NRA instructor in rifle, pistol, personal protection in the home, personal protection outside the home and in muzzle loader. I appear today as President of MSI in opposition to HB 659 and SB 676.

The Bills:

The bills would amend MD Code Criminal Law § 4-104. Specifically, current law provides that “[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.” A child is defined for these purposes as a person “under the age of 16 years.” These bills would change the definition of a child to any minor (a person under the age of 18 years). The bills then provide that a person may not store or leave any firearm, loaded or unloaded, in a location where a person knew or reasonably should have known that an unsupervised **MINOR IS LIKELY TO** gain access to the firearm.

The bills then create three categories of prohibitions concerning such access. The first is simply that **A PERSON MAY NOT STORE OR LEAVE A FIREARM IN A LOCATION WHERE THE PERSON KNEW OR REASONABLY SHOULD HAVE KNOWN THAT AN UNSUPERVISED MINOR IS LIKELY TO GAIN ACCESS TO THE FIREARM**, but the minor does **not** actually gain access. Such storage is punishable with 90 days in prison or a fine of \$1,000 or both. The second category is where such storage occurs and **AN UNSUPERVISED MINOR DOES GAIN ACCESS TO THE FIREARM**. Such storage is punishable by imprisonment by up to 2 years and a \$2,500 fine or both. The third category is that the firearm is left **WHERE THE PERSON KNEW OR REASONABLY SHOULD HAVE KNOWN THAT AN UNSUPERVISED MINOR IS LIKELY TO GAIN ACCESS** and the minor’s access **RESULTS IN HARM TO THE MINOR OR TO ANOTHER PERSON**. Such storage is punishable by up to 3 years imprisonment and a fine of \$5,000.

The bills also create a number of “safe harbors” for certain conduct or storage which are exempt from the bills’ prohibitions. Specifically, the bills retain current law exemptions for when minor access is supervised by a person 18 or older and where the minor’s access is the result of unlawful entry. The bills add an exemption for firearms that are stored UNLOADED, and the ammunition for such firearm is IN A SECURE LOCATION WHERE A MINOR IS NOT LIKELY TO GAIN ACCESS TO THE AMMUNITION **and** THE FIREARM: 1. SECURED IN A LOCKED CONTAINER THAT IS EQUIPPED WITH A TAMPER-RESISTANT LOCK; OR 2. RENDERED INOPERABLE TO ANYONE OTHER THAN AN AUTHORIZED ADULT. The bill also retains the existing law’s exemption for a minor who has a certificate of firearm and hunter safety issued by the State, but restricts that access solely to a rifle or shotgun and adds the caveat that the minor must have BEEN GIVEN EXPRESS PERMISSION BY THE MINOR’S PARENT OR GUARDIAN TO ACCESS THE RIFLE OR SHOTGUN FOR THE PURPOSE OF ENGAGING IN A LAWFUL ACTIVITY.

Due Process:

Hopelessly vague is the exemption for firearms left or stored unloaded **and** “RENDERED INOPERABLE TO ANYONE OTHER THAN AN ADULT.” It is virtually impossible to know what this means, as a practical matter. We know of no manner of storage in which the firearm **is** operable by an 18-year-old, but **is not** operable by a 17-year-old. The bills offer no definition for such storage and the ordinary gun owner would simply have to guess at the meaning of this requirement. Under the Due Process Clauses of the Fifth and Fourteenth Amendments, a penal statute must “define the criminal offense with sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement.” *Kolender v. Lawson*, 461 U.S. 352, 357 (1983). See also *United States v. Davis*, 139 S. Ct. 2319, 2325 (2019) (“Vague statutes threaten to hand responsibility for defining crimes to relatively unaccountable police, prosecutors, and judges, eroding the people’s ability to oversee the creation of the laws they are expected to abide.”).

The same is true under Article 24 of the Maryland Declaration of Rights. Under Article 24, “[t]he void-for-vagueness doctrine as applied to the analysis of penal statutes requires that the statute be “sufficiently explicit to inform those who are subject to it what conduct on their part will render them liable to its penalties.” *Galloway v. State*, 365 Md. 599, 614, 781 A.2d 851 (2001). Under Article 24, a statute must provide “legally fixed standards and adequate guidelines for police ... and others whose obligation it is to enforce, apply, and administer [it]” and “must eschew arbitrary enforcement in addition to being intelligible to the reasonable person.” (Id. at 615). Under this test, a statute must be struck down if it is “so broad as to be susceptible to irrational and selective patterns of enforcement.” (Id. at 616). Thus, as the Maryland Court of Appeals has stressed, the General Assembly has an “obligation to establish adequate guidelines for enforcement of the law.” *Ashton v. Brown*, 339 Md. 70, 88, 660 A.2d 447, 456 (1995). These bills are penal statutes and utterly fail to satisfy either the Due Process Clause or Article 24. If enacted, the bills will fail in a pre-enforcement challenge on these grounds alone. *Pizza di Joey, LLC v. Mayor of Baltimore*, 470 Md. 308, 343-44, 235 A.3d 873 (2020).

Similarly vague is the exemption for a firearm that is stored UNLOADED and where the ammunition is stored in A SECURE LOCATION WHERE A MINOR IS NOT LIKELY TO

GAIN ACCESS TO THE AMMUNITION and where the firearm itself is SECURED IN A LOCKED CONTAINER THAT IS EQUIPPED WITH A TAMPER-RESISTANT LOCK. The bills do not attempt to define a “SECURE location” which is a requirement **in addition to** the requirement that the location must be where a minor IS NOT LIKELY TO GAIN ACCESS. One would have thought that a location where the minor is not likely to gain access to the ammunition would be sufficiently secure, but not under these bills. The location must also be “SECURE,” a term that the bills do not define. The owner is left at sea as to the meaning of SECURE locations. The bills do not even define “unloaded,” a term that is open to multiple meanings.

Finally, in order for the owner to be entitled to rely on this exemption, the firearm itself must be SECURED IN A LOCKED CONTAINER THAT IS EQUIPPED WITH A TAMPER-RESISTANT LOCK. The bills contain no definition or any standard to assess the meaning of “TAMPER-RESISTANT.” The dictionary definitions for the term “tamper-resistant” address the term in the context of prescription bottles or electronic devices, but those definitions do not address locks used to store items such firearms. The term is not in general usage in the firearms industry. Need the lock be tamper-resistant to a small child or to a 17-year-old or both? The bills give no clue. This requirement of a tamper-resistant lock is also unnecessary. It should be quite sufficient to the bills’ purpose that the firearm is unloaded, that the ammunition is inaccessible to a minor and the firearm itself is locked in some manner.

Second Amendment:

The bills also create massive problems under the Second Amendment. A criminalization of home possession of a firearm is flatly unconstitutional under *District of Columbia v. Heller*, 554 U.S. 570 (2008). Under *Heller*, responsible, law-abiding adults have a constitutional right to keep firearms in the home in order to exercise their right of armed self-defense. The Second Amendment “**elevates above all other interests** the right of law-abiding, responsible citizens to use arms in defense of hearth and home.” *Heller*, 554 U.S. at 635. Thus, in *Heller*, the Supreme Court struck down as unconstitutional DC’s safe storage law that required a firearm to be “disassembled or bound by a trigger lock at all times.” (Id. at 628). The Court held this requirement unconstitutionally burdened the right to self-defense in the home because the requirement prevented residents from rendering their firearms “operable for the purpose of *immediate* self-defense.” Id. at 635 (emphasis added).

In *Heller*, the Court ruled that handguns could not be banned as “the American people have considered the handgun to be the quintessential self-defense weapon.” *Heller*, 554 U.S. at 629. Under these bills, an unsupervised minor with a firearms safety certificate is only allowed to access a rifle or a shotgun with the express permission of his or her parents, and is completely barred from accessing a handgun (loaded or unloaded). There is no exemption for emergency access to a handgun (or to a long gun if the minor does not have a certificate), such as to repel an armed intrusion into the home. Yet, such preclusion of emergency access to a firearm is flatly inconsistent with MD Code, Public Safety, § 5-133(d)(2)(iv), which allows possession of a handgun by a person under 21 “**for self-defense or the defense of others against a trespasser into the residence of the person in possession or into a residence in which the person in possession is an invited guest.**” Such self-defense uses by minors are hardly uncommon. <https://lawnews.tv/examples-of-kids-using-guns-to-defend-themselves/>. See also <https://www.wymt.com/content/news/14-year-old-girl-fires-gun-to-save-sisters->

[from-intruder-526603881.html](http://www.intruder-526603881.html) (14 year old girl used a 9mm pistol to defend herself and her younger sisters from a home break-in). Under these bills, such access by a minor for self-defense could result in three years of imprisonment for the minor's parents, if the minor actually "harms" the home invader, and two years of imprisonment if the intruder runs away and the minor does not "harm" anyone. And that would true even though the minor's possession was perfectly legal under Section 5-133(d)(2)(iv). Respectfully, that result is absurd.

While the bills pertain to storage rather than requiring that the firearms be locked up "at all times," storage is a practical necessity for possession in the home as it is utterly impossible to wear or carry a firearm 24/7. For example, one does not sleep or take a shower while carrying a firearm on one's person. In *Jackson v. San Francisco*, 746 F.3d 953 (9th Cir. 2014), *cert. denied*, 576 U.S. 1013 (2015), the Ninth Circuit sustained a San Francisco safe storage law that required that **a handgun** be locked up in a container **or secured with a trigger lock**, but exempted from that requirement a "handgun is carried on the person of an individual over the age of 18." These bills would likewise permit a person to carry a firearm on his or her person in the home, a right recognized by other Maryland law. See, e.g., MD Code, Criminal Law, § 4-203(b)(6). Yet, even though the Supreme Court denied review of the Ninth Circuit's decision, the dissent of Justice of Justice Thomas and Justice Scalia from that denial is particularly powerful. That dissent would have taken the case because that San Francisco law "burdens their right to self-defense at the times they are most vulnerable—when they are sleeping, bathing, changing clothes, or otherwise indisposed." *Jackson v. San Francisco*, 576 U.S. at 1013 (2015) (Thomas, J., dissenting). It is, of course, well established that a denial of certiorari has "no implication whatever regarding the Court's views on the merits of a case which it has declined to review." *Reed v. Texas*, 140 S.Ct. 686, 689 (2020) (Sotomayor, statement respecting the denial of certiorari) (citation omitted). These bills, if enacted, would create an ideal opportunity for litigating the scope of *Heller's* holding on this issue. As noted below, the Court has recently resumed granting review in Second Amendment cases after a decade-long hiatus.

In any event, these bills apply to **all** firearms (other than antiques), not merely handguns, as in *Jackson*, and the storage requirements are more severe than presented in either *Heller* or in *Jackson*. Specifically, these bills create an exemption only where 1. the firearm is unloaded, 2. the ammunition for the firearm is stored in a "secure" location where a minor's access is unlikely, and 3. the firearm itself must be locked up in a CONTAINER that has a TAMPER-RESISTANT LOCK. A trigger lock, which DC thought sufficient under the statute **invalidated** in *Heller* as did San Francisco under the ordinance sustained in *Jackson*, is **insufficient** under these bills. Ironically, a trigger lock is sold as a security device approved by the Maryland Roster Board under MD Code, Public Safety § 5-132(c). Indeed, it would appear that **none** of the devices on that Roster Board list would be sufficient under these bills. <http://bitly.ws/oE4X>. Such devices also satisfy 18 U.S.C. § 921(a)(34) (defining a "secure gun storage or safety device" to mean "a device that, when installed on a firearm, is designed to prevent the firearm from being operated without first deactivating the device"). Such devices meet the requirement imposed on federal licensees by 18 U.S.C. § 923(d)(1)(G), to have safety storage devices available at dealer locations. We see no possible justification for eliminating such approved devices. Under these bills, a person purchasing a firearm with such an approved safety device could still become a criminal the moment he or she arrived home. Another trap for the unwary.

The proper analysis for cases arising under the Second Amendment is presently before the Supreme Court on a writ of certiorari granted in *NYSRPA v. Bruen*, No. 20-843, *cert. granted*, 141 S.Ct. 2566 (2021), a case involving a challenge to New York’s “good cause” requirement for carry permits. That case was orally argued before the Court on November 3, 2021, and awaits a decision by the Court. We believe that it is highly likely that the Supreme Court will, in *Bruen*, strike down the New York law at issue in that case. In so holding, the *Bruen* Court also may well make clear that the “text, history and tradition” test, actually used in *Heller*, is controlling in determining the constitutionality of gun control legislation – not tiers of scrutiny employed by lower courts. Petitioners in *Bruen* have specifically requested such a ruling in briefing and the issue came up repeatedly at oral argument. Indeed, the amicus brief, filed by the United States in *Bruen*, likewise endorsed this test, at least in part.

Four members of the Supreme Court recently endorsed this text, history and tradition approach in *NY State Rifle & Pistol Ass’n, Inc. v. City of New York*, 140 S.Ct. 1525 (2020). See *id.* at 1526 (Kavanaugh, J.) (concurring in judgment of mootness). *Id.* at 1540-41 (Alito, J., dissenting from the judgment of mootness). Justice Thomas made the same point very recently in another case. *Rogers v. Grewal*, 140 S.Ct.1865, 1868 (2020) (Thomas, J., dissenting from denial of certiorari). See also *Heller v. District of Columbia* (i.e. “*Heller II*”), 670 F.3d 1244, 1269 (D.C. Cir. 2016) (Kavanaugh, J., dissenting) (“In my view, *Heller* and *McDonald* leave little doubt that courts are to assess gun bans and regulations based on text, history, and tradition, not by a balancing test such as strict or intermediate scrutiny.”). With Justice Barrett now joining the Court, we believe that a solid majority of the Court will adopt the “text, history and tradition” test as controlling. See *Kanter v. Barr*, 919 F.3d 437, 452-53 (7th Cir. 2019) (Barrett, J., dissenting). These bills will not survive scrutiny under that test as there is no history or tradition at the time of the Founding for storage requirements, such as imposed by these bills. Nothing in the text of the Second Amendment makes it inapplicable to storage requirements, as *Heller* makes clear.

In any event, these storage requirements will fail even under a tiers of scrutiny approach. From the time that it adopted the two-part analysis in *United States v. Chester*, 628 F.3d 673 (4th Cir. 2010), the Fourth Circuit has stated repeatedly that if a challenged law implicates the core right of a law-abiding, responsible citizen to possess a firearm in his or her home, the law is subject to a strict scrutiny analysis. To satisfy strict scrutiny, the State must establish that the challenged laws are narrowly tailored to promote a compelling government interest. *Centro Tepeyac v. Montgomery Cty.*, 722 F.3d 184, 189 (4th Cir. 2013). To be narrowly tailored under strict scrutiny, the law must employ **the least restrictive** means to achieve the interest. There is nothing “least restrictive” about these bills as the bills impose storage requirements, such as tamper-resistant locks and containers, which are not the least restrictive means for the protection of minors.

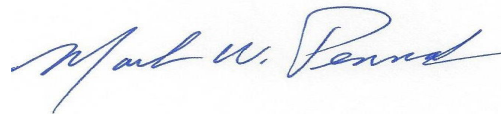
The State will have a difficult time carrying its burden to justify these storage requirements, even under intermediate scrutiny. Even under intermediate scrutiny, “[t]he burden of justification is demanding and it rests entirely on the State.” *United States v. Virginia*, 518 U.S. 515, 533 (1996). The Supreme Court has made clear that “to survive intermediate scrutiny, a law must be ‘narrowly tailored to serve a significant governmental interest.’” *Packingham v. N.C.*, 137 S. Ct. 1730, 1732 (2017) (quoting *McCullen v. Coakley*, 573 U.S. 464, 486 (2014)). These bills would fail that test. See *Johnson v. Lyon*, 406 F.Supp.3d 651, 669 (W.D. Mich. 2018) (denying the State’s motion to dismiss a suit challenging firearm safe

storage requirements for foster parents under intermediate scrutiny). These bills are simply not “narrowly tailored.” After all, these bills **broaden** the prohibitions set forth in current law and thus make it *more* difficult for the homeowner to access a firearm for “immediate” self-defense.

The Bills’ Treatment of Unloaded Guns Is Unconstitutional and Unnecessary:

The bills would change the focus of existing law on access to a “loaded” gun into a ban on access to either a loaded or an **unloaded** gun. Reasonable limits on access to a loaded gun might make sense in some circumstances, as an untrained small child in the home might accidentally discharge a loaded gun. But to criminalize the possibility that a minor (any minor) might access an **unloaded** gun makes no sense at all. An unloaded gun is no more dangerous than a brick and far less dangerous than a knife or a baseball bat or many other household items. In *Heller*, the Court stated that its ruling invalidating the DC law did not suggest “the invalidity of laws regulating the storage of firearms to prevent **accidents**.” (554 U.S. at 632). That *dicta* cannot be read as swallowing the holding in *Heller*. Again, *Heller* held that the Second Amendment “elevates above **all other interests** the right of law-abiding, responsible citizens to use arms in defense of hearth and home.” *Heller*, 554 U.S. at 635. “All” means all. See *Heller*, 554 U.S. at 636 (“the enshrinement of constitutional rights necessarily takes certain policy choices off the table”). Thus, storage laws may not make it impossible or difficult for the owner to use the firearm for “immediate” self-defense. Requiring a firearm to be stored “unloaded” ensures that firearm will not be available for immediate use for self-defense in the home. Criminalizing storage of an unloaded gun is thus particularly unjustifiable under *Heller*. We urge an unfavorable report.

Sincerely,



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

MSI Testimony on SB 676 Jaelynn's Law.pdf

Uploaded by: Michael Burke

Position: UNF



March 15, 2022

WRITTEN TESTIMONY OF MICHAEL BURKE, CPP IN OPPOSITION TO SB 676

I write as a subject matter expert on Physical Security, as recognized by the preeminent Security Industry standards set by ASIS International. The Certified Protection Professional (CPP[®]) is considered the “gold standard” certification for security management professionals and demonstrates my knowledge and competency in seven key domains of security. This credential is globally recognized as the standard of excellence for security management professionals.

My background includes over 30 years of military service with the US Army and Maryland National Guard as a Military Police officer, Drill Instructor, and Counterintelligence Agent; as well as over 20 years as a Criminal Investigator/Special Agent with numerous Federal law enforcement agencies. 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 (“HQL”) and a certified NRA pistol instructor. I appear today as a voter and member of numerous other 2nd Amendment advocacy organizations in opposition to **SB 676 (Jaelynn’s Law)**.

The Bill:

The bill would modify existing law (13-39A-01) in the Healthy Article of the Maryland Code that would impose new storage requirements on all Maryland residents. Specifically, the bill states:

16 (4) THE PERSON WHO STORES OR LEAVES THE FIREARM
STORES OR
17 LEAVES:
18 (I) THE FIREARM UNLOADED;
19 (II)
 ANY AMMUNITION THAT THE PERSON OWNS OR CONTROLS
20 THAT IS SUITABLE FOR USE IN THE FIREARM IN A SECURE LOCATION
WHERE A
21 MINOR IS NOT LIKELY TO GAIN ACCESS TO THE AMMUNITION; AND
22 (III) THE FIREARM:
23 1.

IS
24 SECURED IN A LOCKED CONTAINER THAT
EQUIPPED WITH A TAMPER-RESISTANT LOCK; OR
25 2. RENDERED INOPERABLE TO ANYONE OTHER THAN
AN
26 AUTHORIZED ADULT;...

The Bill is counterintuitive, poorly phrased, and unlikely to obtain the desired goal

The sponsor appears to believe that a “secure location” is necessary for public safety, but does not define what a “secure location” is. The intent is to prevent suicide or violent death by somehow preventing access to ANYTHING placed behind lock and key. This is not possible in a free and open society.

The very best firearms containers, safes, vaults and “tamper-resistant locks” available on the commercial market are only capable of preventing unauthorized access to their contents for a period of 2-15 minutes, at the maximum, against forced entry by mechanical means, or against penetration by children aged 3 to 18 who may obtain the combination by deduction, theft, deception, fraud or coercion.

As a security expert, I ask the Committee and the Senate to take note that police stations across all 23 Counties and Baltimore City do not require these standards in various precincts/stations, offices, training facilities – or police officers and Sheriff’s Deputies homes. Yet nearly every law enforcement facility, and over 150,000 armed officers, agents, Corrections Officers (to include retirees) store and keep their issued firearms and personal firearms AT HOME across Maryland. The General Assembly does not require law enforcement to install a locking device for firearms in each precinct, office, vehicle, or residence where firearms are stored. Never mind that children of any age are commonly present in these locations, with or without adult supervision.

On the other hand: common means of suicide include self-poisoning with prescription drugs frequently found in the home. This bill does NOT require locks or safes for the storage of prescription medication at home or in a business or school.

Children frequently attempt (or complete) suicide attempts by cutting open a vein in the arm or wrist. This bill does NOT require storage of all knives, razors, scissors, glass objects or other tools with sharp edges that a child “might” have access to.

Suicide is often committed or attempted by hanging- yet this bill does not require citizens to keep all ropes, belts, neckties, electrical cords, or other common items potentially useable for hanging or self-strangulation. *(that would include sheets, towels, T-shirts, other clothing).

Even if this bill were passed, it's fairly common knowledge that any lock-box, trigger or cable lock, vault, safe, or lock-box used to "secure" firearms, cash, or other valuable items can be opened by anyone with malicious intent and rather common household tools.

Youtube links available to ANY CHILD:

<https://www.youtube.com/watch?v=hKfYCCEH0Y4>

<https://www.youtube.com/watch?v=cSS15g5qb44>

<https://www.pinterest.com/pin/397020523399978670/>

This video show how to open about half of the commercially available "gun safes" on the market today.

<https://revolar.com/how-to-pick-a-tubular-lock-with-a-ballpoint-pen/>

Another high-end gun safe picked in less than 90 seconds:

<https://www.youtube.com/watch?v=-H3fPIcw6rY>

Vaults and safes can be broken into most easily by obtaining the keys or combination from the lawful owner, employees, friends or associates with knowledge of the means of access. More modern vaults and safes utilize electronic locks and switches which can be "hacked" by anyone with time and easily available "hacking" software. Locking mechanisms can be defeated by drilling, grinding, a hammer and chisel, or more powerful industrial tools. **Or a Bic pen.**

<https://www.ar15.com/forums/general/-ARCHIVED-THREAD-Gun-Safe-hacked-by-Bic-Pen-/5-302868/>

Posted: 12/8/2004 8:26:04 AM EDT

Story

*Gun cabinet locks no match for pen
By Barb Ickes : Viewpoint*

By putting two and two together, a Bettendorf father of three managed to break into his own gun cabinet using nothing but a Bic pen.

The man asked that only his first name, Mark, be used in this article, fearing that publishing his identity and the fact that he has guns in his home could invite trouble.

The company that made his gun cabinet was very familiar with Mark's name after he made several calls to them this week.

A Bettendorf man has learned it's easy to pick a lock on his gun cabinet using the slightly altered barrel of a Bic pen. He discovered that after reading an article about pens being used to pick an expensive brand of bicycle lock.

When news broke last week about a popular, high-end brand of bicycle lock, Kryptonite, being susceptible to a simple break-in method, the Bettendorf man recognized the type of tubular lock and round key that were described in the story. It sounded just like the lock on the gun cabinet bolted to the wall of his bedroom closet.

After reading the story, the man called Wauconda, Ill.-based Stack-On Products Co., which made his gun cabinet. Even though a company spokesperson assured him his cabinet was secure and the lock could not be opened with a pen, he was not convinced.

"I used three different kinds of pens," he said. "I need to be thorough. I've got three kids living in my house."

After doing a little research on the Internet and reading about the flaw in the Kryptonite locks, the man went to a Staples store to buy a box of the Bic pens that were specifically cited as the break-in tool. He pulled the ink cartridge out of a pen and widened one end of the barrel slightly by scraping it with his pocket knife, just like a Web site instructed.

"I had run home for lunch and was in a hurry," he said. "Within 30 seconds, I was into the safe with that pen."

Another call went into Stack-On, he said, and, this time the same employee told him an engineer would be dispatched to Bettendorf to inspect his gun cabinet.

On Wednesday afternoon, the man demonstrated how he could move the locking mechanism on his gun cabinet with a slightly altered Bic pen.

"You can find more expensive gun cabinets that will protect your weapons from fire and all that, but all I really needed was to keep my guns away from my kids," he said. "It turns out I had a false sense of security."

Susan Eckhoff, the vice president of administration for Stack-On, said the calls from Bettendorf launched the company's engineering department into an investigation of the tubular locks. She would neither confirm nor deny that the locks may be faulty.

"Right now, they're telling me they'll have something on our Web site next week — Monday or Tuesday," she said. "Not everything is finalized.

"(The Bettendorf man) is the only phone call we had," she said. "We're very grateful that he did call."

To hear some area retailers tell it, many gun owners have become increasingly security-savvy and are investing in more expensive gun safes and cabinets that use combination or electronic locks rather than the tubular locks. The less expensive models, such as the Stack-On cabinet that was opened with a Bic pen, are not as popular as they used to be, retailers say.

In fact, some stores have stopped stocking the tubular-lock models made by Stack-On.

"Security is a definite concern and that's why we stopped selling them," said Matt Meyer, a manager at K&K Hardware in Bettendorf. "If I wanted to keep my young children out of it, I would choose the heaviest-duty gun cabinet I could find.

"I have two kids and I wouldn't buy a cheap one."

The cabinets can range in price from less than \$100 to well over \$1,000, but, regardless of price, manufacturers boast that all of their cabinets are secure. In fact, the model the Bettendorf father owns is one of the products pictured on the Stack-On Web site, where it notes that the cabinet is "California Department of Justice Certified."

Even so, Kevin Nyberg, the manager of the Gander Mountain sporting goods store in Davenport, said an increasing number of gun owners are willing to pay the extra money for heavy-duty gun safes and cabinets. He estimated that, in the past six months, his store has sold only a couple of the Stack-On models that use a tubular lock.

Nyberg also said he is confident Stack-On will correct the problem.

"I wouldn't doubt at all that they'll be sending lock upgrades ... or complete return-to-vendor offers," he said. "Stack-On is a stand-up company, and I'm sure that when their engineers figure it out, they'll do something to fix the problem."

While the Bettendorf man said he is most alarmed by the apparent vulnerability of tubular locks on gun safes, he wonders how many other products are at risk.

“I’m guessing we’ll be seeing Bic pens sticking out of vending machines, pay phones and file cabinets all over the place,” he said. “But security doesn’t get any more important than when you’re talking about keeping guns out of the hands of children.”

On the other hand: Children of all ages have the innate HUMAN right to defend themselves – using firearms.

<https://lawnews.tv/examples-of-kids-using-guns-to-defend-themselves/>

<https://apnews.com/article/la-state-wire-shootings-bd4bfa1bed51c118944c787f18f05636>

Click to copy

RELATED TOPICS

LA State Wire

Shootings

Sheriff: 12-year-old killed armed man who threatened mother

July 5, 2021

CLINTON, La. (AP) — A 12-year-old fatally shot an armed man who broke into his family’s house in Louisiana and threatened his mother, authorities said.

The home invasion happened June 30 near Clinton, news outlets reported. Brad LeBlanc, 32, was armed with a pistol when he encountered the unidentified woman outside her house that morning, according to East Feliciana Parish Sheriff Jeffery Travis.

LeBlanc forced the woman inside, and a struggle broke out between them. Her son, who authorities haven’t named, feared for his mother’s life and shot LeBlanc with a hunting rifle, Travis said. The Vidalia man was pronounced dead at a hospital.

Travis said his office doesn’t have evidence at this time that would incriminate the boy and there aren’t plans to bring charges against him, according to The Advocate. The local district attorney will decide whether the shooting was justified when the sheriff’s office finishes its investigation.

Johnathon Barker of Clinton was arrested in connection with the break-in. He was charged with second-degree murder, principal to aggravated burglary and principal to aggravated kidnapping. Travis told the newspaper that while Barker isn’t

directly accused of killing anyone, his participation in the burglary led to LeBlanc's death.

Jennifer Bond of Ethel was charged with one count of accessory after the fact. She and Barker were booked into the parish prison. It wasn't immediately clear if they had attorneys who could speak on their behalves.

The sheriff told WAFB-TV that he's been in close contact with the woman whose home was broken into and that she has started taking steps to get her son help after the shooting.

"The mother is understanding that he's going to need some treatment and need to talk to people and helping him understand that he's a very normal person that was put in an abnormal situation," Travis said.

Boy, Age 13, Shoots Man Assaulting Grandmother

by Dave Durringer - Protective Law Corp | Jan 28, 2020 | Defensive Gun Use

Next time some politician says you should block your kids from accessing your firearms, even if trained, consider this:

Deputies arrived and found an adult male with a gunshot wound to his lower back. Deputies learned that the subject that had been shot was actively assaulting his mother. Another family member, a 13 year-old male, shot the subject with a .30-30 cal. rifle because he was fearful that his grandmother was going to be killed. Deputies also learned that the subject that was shot had threatened several members of the family and had threatened to kill a juvenile family member.

Brownwood News – According to a press release from the Brown County Sheriff's Department, on Sunday, January 26, 2020, Brown County deputies responded to a domestic disturbance with reported shots fired.

Deputies arrived and found an adult male with a gunshot wound to his lower back. Deputies learned that the subject that had been shot was actively assaulting his mother. Another family member, a 13 year-old male, shot the subject with a .30-30 cal. rifle because he was fearful that his grandmother was going to be killed. Deputies also learned that the subject that was shot had threatened several members of the family and had threatened to kill a juvenile family member.

The subject that was shot was transported by helicopter to an out of town hospital. No arrests are anticipated, according to the Brown County Sheriff's Department.

The Bill Is Vague

The bill is also vague, as it does not define the meaning of “access to a firearm.” This term is susceptible to a multitude of meanings. “Access” is not defined and it is simply impossible to know what sort of construction would be deemed sufficient. Should the home of someone who owns firearms be required to install a door made of steel, 2” thick? Would that “prevent access?” Would this bill require all windows in a home or apartment to be covered by wire mesh or bars to prevent entry? As others I know have asked “since no guidance is offered in the law, we have no way to know whether we are in compliance and how such compliance would be interpreted until, of course, our freedom is taken as per this law.” The General Assembly has an “obligation to establish adequate guidelines for enforcement of the law.” *Ashton v. Brown*, 339 Md. 70, 88, 660 A.2d 447, 456 (1995). This bill fails that test. Defining the terms used in a statute, especially one that threatens people’s personal safety, their homes, their livelihood, should be the rule. Simple fairness demands nothing less.

The Bill Raises Constitutional Issues Under the Second Amendment

This impact on citizens also has constitutional implications. Law-abiding citizens have a Second Amendment right to acquire or purchase firearms under *District of Columbia v. Heller*, 554 U.S. 570 (2008), and *McDonald v. City of Chicago*, 561 U.S. 742, 768 (2010). The Second Amendment also confers “ancillary rights necessary to the realization of the core right,” including the ancillary right to sell firearms to law-abiding citizens. *Teixeira v. City of Alameda*, 873 F.3d 670, 677 (9th Cir. 2017) (en banc). See also *Richmond Newspapers v. Virginia*, 448 U.S. 555, 579–80 (1980) (“[F]undamental rights, even though not expressly guaranteed, have been recognized by the Court as indispensable to the enjoyment of rights explicitly defined.”). That right to acquire firearms necessarily implies a right to sell firearms because the right to acquire would be meaningless in the absence of sellers. Thus, *Teixeira* and other courts have recognized that “[c]ommerce in firearms is a necessary prerequisite to keeping and possessing arms for self-defense.” *Teixeira*, 873 F.3d at 682. See also *United States v. Marzzarella*, 614 F.3d 85, 92 n.8 (3d Cir. 2010) (“If there were somehow a categorical exception for [commercial] restrictions, it would follow that there would be no constitutional defect in prohibiting the commercial sale of firearms. Such a result would be untenable under *Heller*.”).

Plainly, under these principles, the State may not make it illegal for a citizen to buy, sell or store firearms in their homes. Nor may the State accomplish the same result by making it so burdensome to store firearms that few citizens would buy or possess arms. See, e.g., *Fairbank v. United States*, 181 U.S. 283 (1901) (noting “the great principle that what cannot be done directly because of constitutional restriction cannot be accomplished indirectly by legislation which accomplishes the same result.”); *Lebron v. Secretary*, 710 F.3d 1202, 1217 (11th Cir. 2013) (“where an

individual's federal constitutional rights are at stake, the state cannot accomplish indirectly that which it has been constitutionally prohibited from doing directly").

I submit that we would do better to prevent suicide, violent crimes and other injuries o (or committed by) our children by promoting parental responsibility, not by this poorly defined legislation. Make firearms safety training MANDATORY from age 3 to 21, in every day care center, kindergarten, primary and secondary schools and college – perhaps 10 hours per quarter, every year for every child. EDUCATION prevents theft, violence, and poor mental health, and suicidal ideation. Not more “locks.”

I am a member of Maryland Shall Issue (“MSI”). **Maryland Shall Issue** is a Section 501(c)(4), all-volunteer, non-partisan organization dedicated to the preservation and advancement of gun owners’ rights in Maryland. My associates and I seek to educate the community, including the Maryland General Assembly, about the right of self-protection, the safe handling of firearms, and the responsibility that goes with possessing and/or carrying a firearm in public.

I urge an unfavorable report on this bill.

Sincerely;

Michael Burke, CPP
Certified Fire and Explosives Investigator
Sergeant First Class, US Army (Retired)
Senior Special Agent (Retired)

20220314 - SB676 - MSRPA Unfavorable.pdf

Uploaded by: Mike Doherty

Position: UNF



Date: 14 MAR 2022

Forcing firearms to be stored in a residence in a manner that renders the device inoperable was the subject of lengthy debate in *District of Columbia V. Heller, 554 US 570 (2008)* and found to be an unconstitutional requirement:

3. The handgun ban and the trigger-lock requirement (as applied to self-defense) violate the Second Amendment. The District's total ban on handgun possession in the home amounts to a prohibition on an entire class of "arms" that Americans overwhelmingly choose for the lawful purpose of self-defense. Under any of the standards of scrutiny the Court has applied to enumerated constitutional rights, this prohibition—in the place where the importance of the lawful defense of self, family, and property is most acute—would fail constitutional muster. Similarly, the requirement that any lawful firearm in the home be disassembled or bound by a trigger lock makes it impossible for citizens to use arms for the core lawful purpose of self-defense and is hence unconstitutional.

The MSRPA is an organization deeply rooted in the concepts of the safe and legal use of firearms. As such, we recommend that all firearms owners educate their children and loved ones in the same concepts and practice safe storage principals.

Educational materials and programs are already available from national-level organizations, such as the National Rifle Association, the National Shooting Sports Foundation, and many others. Combining firearms safety with suicide prevention that focuses solely on firearms usage unnecessarily stigmatizes firearms ownership while dangerously downplaying the significant mental health conditions and situations that lead to thoughts of suicide.

Heavy-handed, poorly defined, and overly broad legislative proposals are antithetical in the context of Constitutionally protected freedoms.

The Maryland State Rifle & Pistol Association requests an Unfavorable Report.

V/r,

Michael J Doherty

Chair of the Board of Directors

2nd Vice President – Legislative Affairs

Bill Number:	Senate Bill 387
Bill Title:	Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)
Position:	UNFAVORABLE

2022 - SB 676 - Mandatory Firearm Storage - NSSF O

Uploaded by: Trevor Santos

Position: UNF



TREVOR W. SANTOS

Director, Government Relations - State Affairs

tsantos@nssf.org | 202-220-1340 x205 | nssf.org

March 15, 2022

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

SENATE BILL 676 OPPOSE

Re: Senate Bill 676 – Firearm Safety – Storage Requirements and Youth Suicide Prevention 3 (Jaelynn’s Law)

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings Committee:

On behalf of the National Shooting Sports Foundation (“NSSF”), and our industry members located throughout the state of Maryland, I write today to express our opposition to Senate Bill 676 (“SB 676”). SB 676 would among other things, mandate how firearms are to be stored and would impose penalties on those found to have violated the law.

As the trade association for America’s firearms, ammunition, hunting, and recreational shooting sports industry, NSSF seeks to promote, protect, and preserve hunting and the shooting sports. We represent nearly 9,000 members which include federally licensed manufacturers, wholesale distributors and retailers of firearms, ammunition and related goods and accessories, as well as public and private shooting ranges, sportsmen’s clubs, and endemic media, including close to 100 businesses located in Maryland.

First and foremost, NSSF supports the legal and responsible use of firearms. There are many minors who are taught the safe and responsible handling of firearms at a young age, and this bill would prevent them from using firearms or even having access to firearms without parental supervision, unless they have a certificate of firearm and hunter safety issued by the Department of Natural Resources (“DNR”). Other firearm safety training options exist outside of the curriculum being taught by DNR and those should be considered for inclusion in SB 676.

Additionally, there are times when a minor would need access to firearms and not just long guns such as rifles and shotguns, but even handguns. As drafted, SB 676 would prohibit a minor from using a firearm for self-defense unless there is someone older than 18 years old supervising them during their use of the firearm.

As for the “Youth Suicide Prevention and Firearm Safe Storage” portion of the bill, we would like to highlight several programs currently being spearheaded by the firearm industry. For decades, our REAL SOLUTIONS. SAFER COMMUNITIES.® initiatives have been creating safer communities by promoting firearm safety, responsible firearm use, and safe firearm storage

among lawful gun owners. We also have been working to reduce firearm accidents and reduce criminal access to and misuse of firearms.

As an industry we take seriously our responsibility to promote responsible actions among legal gun owners, to help prevent accidents, and to help keep guns out of the wrong hands. All of those actions make our homes, neighborhoods, and communities safer.

For more than 50 years, NSSF has encouraged gun owners to safely handle and securely store firearms, and over the last few decades, we have provided valuable resources and free firearm safety kits, including cable-style gun locks through the Project ChildSafe® program, to help prevent firearms accidents, thefts and misuse, including suicide. While we oppose mandatory storage requirements for law-abiding gun owners, recognizing that each person's living situation may be different, we do acknowledge that promoting true firearm safety and education programs is key to preventing accidents.

In addition to Project ChildSafe, the firearm industry and American Foundation for Suicide Prevention developed a suicide prevention toolkit to help firearms retailers, shooting range operators and customers understand risk factors and warning signs related to suicide, know where to find help and encourage secure firearms storage options. AFSP and the firearm industry have also partnered with the U.S. Department of Veterans Affairs on a safe firearm storage toolkit designed to help prevent suicide among veterans.

For more information on our REAL SOLUTIONS initiative, please visit nssfrealolutions.org.

We share the concerns of all Americans, and we are proud of our history of leadership in creating real solutions. We are taking action, and the firearm industry has developed genuine solutions that protect our communities while respecting the legal rights of gun owners. However, we oppose mandates on how law-abiding gun owners should storage their firearms. It is for these reasons the National Shooting Sports Foundation opposes Senate Bill 676 and we would respectfully request an unfavorable report.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. W. Santos', written in a cursive style.

Trevor W. Santos

SB0676- Jaelynn's Law (2).pdf

Uploaded by: Christina Shaklee

Position: INFO



**ANNE
ARUNDEL
COUNTY**

MARYLAND

DEPARTMENT OF HEALTH

Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

Nilesh Kalyanaraman, MD, FACP
Health Officer

2022 SESSION
Written Testimony

BILL NO: SB0676
COMMITTEE: Judicial Proceedings
POSITION: Letter of Information
TITLE: Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

PURPOSE:

The purpose of SB0676 is to change the circumstances under which an adult is criminally responsible for leaving a firearm where a minor could obtain it. It removes liability if the minor obtains the weapon while supervised by an adult or as a result of an unlawful entry. This bill prohibits an individual from leaving a firearm in a location where they knew or should have known that a minor could reasonably be able to access the firearm. This bill will also require the Deputy Secretary of Public Health Services to develop a youth suicide prevention and firearm safe storage guide.

RATIONALE:

Children and teens continue to make up a considerable portion of gun violence victims in the United States. Nationally, nine children and teens are killed by guns every single day. For every fatality approximately five youth are injured, often resulting in lifelong physical and mental

consequences.¹ An estimated one-thousand high school-aged youth die by suicide using a gun each year and the rate of suicide by gun has increased by nearly 60% from 2010 to 2016.²

Many of these injuries and accidents involving youth are between family members or classmates and the weapons are attained at home due to unsecured storage. An estimated 74% of guns used in school shootings were obtained from the home of the shooter's friend or relative.³

Local trends are equally sobering. In Maryland, guns are the leading cause of death for children and teens. An average of 64 youth die by guns each year in the state.⁴ In Anne Arundel County, 15% of all police reported gun incidents where age is known involve a victim under 18 years old. Out of these incidents, youth made up 13% of reported injuries and 6% of reported deaths.⁵

These tragically all-too-often incidents of gun violence have amplified during the pandemic. The start of 2020 saw a historic rise in gun sales and rising health needs among youth. These coinciding challenges compounded with the existing prevalence of youth gun violence have made necessary stronger policies that limit youth access to guns and that promote widespread safe storage practices.

There is long-standing proven evidence that Child Access Prevention (CAP) laws prevent gun injuries and deaths, especially stricter CAP laws that limit youth access to guns, set minimum age requirements and require safe storage practices. States with strong CAP laws have been found to have up to a 54% reduction in unintentional injuries, suicides and school shootings. Even modest increases in households safely storing guns could prevent an estimated third of all youth gun deaths due to suicide or unintentional injury.⁶

Maryland's CAP law is among the strictest in the nation, penalizing adults for negligent storage of a gun in a place and manner that a child could or does gain access. The additions proposed in SB0676 would strengthen the reach of the existing state policy, further reducing the risk and impact of gun violence on youth.

¹ CDC. (2020). *Nonfatal Injury Reports 2000-2018*. Accessed using WISQARS. <http://www.cdc.gov/injury/wisqars/nonfatal.html>. Calculations by Children's Defense Fund. Children's Defense Fund. (2021). *State of America's Children Report*.

² Centers for Disease Control and Prevention. WISQARS—Web-based Injury Statistics Query and Reporting System. Accessed August 15, 2021. <https://www.cdc.gov/injury/wisqars/index.html>

³ National Threat Assessment Center. (2019). Protecting America's Schools: A US Secret Service Analysis of Targeted School Violence. *US Secret Service, Department of Homeland Security*. <https://bit.ly/2U7vnwa>.

⁴ Children and teens gun deaths: CDC, WONDER, five-year average: 2016–2020, ages 0–19; Leading causes of death: CDC, WONDER, 2020, ages 1–19.

⁵ Anne Arundel County and Annapolis City Police Department's gun incident report data (2016-2021).

⁶ Hamilton, E.C., Miller, C. C., Cox Jr., C. S., Lally, K. P., & Ausin, M. T. (2018). Variability of child access prevention laws and pediatric firearm injuries. *Journal of Trauma and Acute Care Surgery*, 84(4): 613-619.

The bill's inclusion of a guide to be developed by the Deputy Secretary for Public Health Services would advance public awareness about the importance of youth suicide prevention and safe storage. The guidebook would standardize local prevention and intervention efforts as part of a statewide commitment to reducing youth gun violence.

The Anne Arundel County Department of Health supports the proposed guide requirement as it aligns with local efforts to increase public awareness about the harms of youth gun violence and importance of safe storage. The Department of Health is abstaining from a position on the increased penalties proposed in the bill as criminal law and enforcement fall outside the purview of local health departments.

This position is supported by the Health Department's leadership for the Anne Arundel County Gun Violence Intervention Team, a coalition of municipal partners with members from over two dozen agencies. Driven by local data and best practice of proven gun violence intervention programs, the coalition is implementing strategies to prevent and reduce gun violence countywide. One continued area of concern is the high rate of gun homicides among young adult black males in the City of Annapolis. Given the far-reaching implications of strong CAP laws, these proposed bills would contribute towards this concentration of gun violence among our local community youth.