
WRITTEN TESTIMONY OF KATIE NOVOTNY IN OPPOSITION OF
SB858

February 21, 2023

I am a law abiding gun owner, advocate for the right to self-defense, certified range safety officer, and a competitor in firearms competition. I oppose SB858.

Changing the law to include access to unloaded firearms instead of loaded firearms is a gross overstep. Unloaded firearms are no danger at all, except as a blunt object, similar to a brick, and much less dangerous than items available in most households; Kitchen knives, box cutters, saws, power tools, household chemicals, and prescription drugs.

Project ChildSafe (<https://projectchildsafe.org>) is a program created by the National Shooting Sports Foundation. They promote firearms safety and education. A huge project they have taken on is providing free gun safety kits. These include a cable lock to make a firearm unusable until it is removed. They have given out over 38 million gun locks. Under this proposed bill, these locks would not be adequate because they do not meet the impossible and vague standards of “tamper resistant” proposed by this legislation. These are free locks, available in every county of our state, securing firearms for people who believe they are safely securing their firearms from minors and complying with current laws. These people at the least will be forced to purchase some sort of safe, at great expense.

This proposed law is a direct violation of DC v. Heller, which protects the right to have a firearm readily available for self-defense in the home.

State law requires new handguns to leave the FFL with a lock. A list of approved locks is located here on the Maryland State Police website:
<https://mdsp.maryland.gov/Document%20Downloads/Approved%20Integrated%20Mechanical%20Safety%20Devices.pdf> These locks are also inadequate to meet the requirements of this law, although they were previously adequate.

The requirement to have ammunition “secure” is also vague, and unnecessary. If a firearm is secure with either a locking device or in a safe, there is no need to secure ammunition. Furthermore, requiring ammunition to be stored in a safe, which is how I personally interpret secure to mean for ammunition, because I don’t know what other means

would secure it, is prohibitively expensive. Safes are not inexpensive items, and one large enough to secure firearms as well as all of their ammunition is incredibly expensive.

As a firearms owner, I take responsibility for having my firearms stored safely. This protects my investment from damage caused by improper storage, as well as from theft. This bill, however is so hopelessly vague, that I don't know what is allowed. Historically, preventing a child from gaining ready access to a loaded firearm has been adequate.

This law allows prosecution of a firearms owner who thought they had properly secured their firearms in a manner considered generally reasonable by most people. However if a child does gain access, and does not even have to do anything with the firearm, if the police find out, under penalties in this bill, that person would then become a prohibited person. Over the possibility of a child coming in contact with an unloaded firearm.

There needs to be balance between public safety and rights. The current law does a fair job of treading that line. Unfortunately, sometimes things still happen. This bill is also unenforceable, unless the police are planning on going door to door to inspect storage devices. The only way anyone would likely know this law was violated was if the 3rd scenario happened, that a child does gain access and injures another or themselves. In that case, how is tacking on another meaningless sentence helping anyone heal from tragedy?

Rather than creating more legal quagmires, this body should be supporting common sense solutions such as Sen Carters SB 773 as amended last year which instead created tax credits for purchase of firearm storage devices. This is an effort that everyone should be able to agree upon.

Because of these reasons above, I request an unfavorable report.

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