

**Testimony in Support of SB 0488**  
**Maryland Senate – Judicial Proceedings Committee**  
**February 16, 2024**

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Thank you for the opportunity to testify in support of SB 0488. I am a professor at Johns Hopkins University's Bloomberg School of Public Health and Distinguished Scholar for the Johns Hopkins Center for Gun Violence Solutions. My testimony is offered by me individually, and it does not represent the official position of Johns Hopkins University. I have conducted research on state gun laws for over 30 years and communicated with many law enforcement officials charged with keeping the public safe from gun violence.

A study of ATF gun trafficking investigations found that **illegal or grossly negligent practices by retail firearm dealers accounted for more guns diverted into the illegal market than any other single trafficking channel.**<sup>1</sup> A very small percentage of firearm retailers sell the majority guns recovered from criminals.<sup>2</sup> Research shows that the disproportionate share of guns diverted for criminal use by this small fraction of gun dealers **cannot be explained solely by differences in sales volume, customer demographics, or local crime rates.**<sup>3</sup> My colleagues and I conducted an anonymous survey of individuals on parole or probation in Baltimore and found that 24% of those who had experience in the underground gun market indicated that they knew of gun shops in Maryland where it was easy to get a gun without a background check or record keeping.<sup>4</sup>

In 2021, more than 10,000 firearms were reported as stolen or lost from federally licensed firearms dealers. 33 Maryland dealers accounted for 153 of these lost or stolen firearms.<sup>5</sup> **These numbers may be a gross undercount of the number of firearms that employees or the dealers themselves take from inventories and sell off the books to traffickers and criminals. ATF compliance inspections commonly reveal many firearms for which dealers cannot account.**

**Weak federal laws and resource constraints hamper the ATF's ability to ensure gun dealers comply with gun laws.**<sup>6,7</sup> There are egregious examples of scofflaw gun dealers whose guns were commonly linked to violent crime for many years before federal action was taken.<sup>8,9</sup> **Maryland's laws governing firearm dealers are stronger than those in many state; but SB 0488 will, in my opinion, enhance the state's ability to prevent guns from being diverted for use in crime.** My research has shown that **states with strong regulation and oversight of firearms dealers with have lower rates of firearms being diverted for criminal use than other states.**<sup>10</sup>

I have led two studies showing that lawsuits against retail gun dealers led to significant reductions guns diverted for criminal use in three major cities.<sup>11</sup> One examined the effects of firearms dealers being sued by New York City for practices that contributed to firearm trafficking. **Twenty-four dealers settled their lawsuit by agreeing to adopt a series of policies to prevent illegal sales and theft including measures included in SB 0488 such as requiring security cameras and strong inventory control measures. We found an 82% decrease in the probability that guns sold by these gun dealers were subsequently recovered by NYPD after the dealers implemented these new measures.**<sup>12</sup>

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<sup>1</sup> Braga AA, Wintemute GJ, Pierce GL, Cook PJ, Ridgeway G. Interpreting the empirical evidence on illegal gun market dynamics. *Journal of Urban Health* 2012; DOI 10.1007/s11524-012-9681-y.

<sup>2</sup> Bureau of Alcohol, Tobacco and Firearms (ATF). *Crime Gun Trace Reports (2000): The Youth Gun Interdiction Initiative*. Washington, DC: U.S. Department of the Treasury, 2002.

<sup>3</sup> Wintemute GJ, Cook PJ, Wright MA. Risk factors among handgun retailers for frequent and disproportionate sales of guns used in violent and firearm related crimes. *Injury Prevention* 2005; 11:357-363.

<sup>4</sup> Crifasi CK, Buggs SAL, Booty MD, Webster DW, Sherman SG. Baltimore's Underground Gun Market: availability of and access to guns. *Violence and Gender* 2020. <https://doi.org/10.1089/vio.2019.0054>

<sup>5</sup> Bureau of Alcohol, Tobacco, Firearms and Explosives. *Federal Firearms Licensee Theft/Loss Report – 2021*. <https://www.atf.gov/resource-center/federal-firearms-licensee-theftloss-report-2021>

<sup>6</sup> Inspector General of the United States Department of Justice. *Inspections of Firearms Dealers by the Bureau of Alcohol, Tobacco, Firearms and Explosives*. Report I-2004-2005. Washington, DC, July 2004.

<sup>7</sup> Braga AA, Gagliardi PL. "Enforcing Federal Laws Against Firearms Traffickers: Raising Operational Effectiveness by Lowering Enforcement Obstacles," pages 143-156 in *Reducing Gun Violence in America: Informing Policy with Evidence and Analysis*, Daniel W. Webster and Jon S. Vernick, Eds. Baltimore: Johns Hopkins University Press, 2013.

<sup>8</sup> Brady Center to Prevent Gun Violence. *Death Valley: Profile of a Rouge Gun Dealer: Valley Gun Baltimore, Maryland*. Washington, DC, June 2006.

<sup>9</sup> *The Washington Post*. "The Dance of Revocation." December 14, 2010.

<sup>10</sup> Webster DW, Vernick JS, Bulzacchelli MT. Effects of state-level firearm seller accountability policies on firearms trafficking. *Journal of Urban Health* 2009; 86:525-537.

<sup>11</sup> Webster DW, Vernick JS, Bulzacchelli MT. Effects of a gun dealer's change in sales practices on the supply of guns to criminals. *Journal of Urban Health* 2006; 83:778-787.

<sup>12</sup> Webster DW, Vernick JS. "Spurring Responsible Firearms Sales Practices through Litigation: The Impact of New York City's Lawsuits Against Gun Dealers on Interstate Gun Trafficking," p. 123-32. Webster DW, Vernick JS, Eds. *Reducing Gun Violence in America: Informing Policy with Evidence and Analysis*. Baltimore, MD: Johns Hopkins University Press, 2013.