



House Bill 21
Criminal Procedure – Warrantless Arrest – Straw Purchase Participant

UNFAVORABLE

19 January 2024

The Maryland State Rifle & Pistol Association (MSRPA) opposes HB 21, a bill that would allow for warrantless arrests of those suspected of knowingly being a participant in a straw purchase of a regulated firearm.

The bill is vague. Will police take immediate action based on sheer "suspicion?" Will they have seen the transfer take place? Will they know if it is a regulated firearm? Who is the "participant?"

While I'll leave it to the legal experts, this bill is potentially unconstitutional, violating the Fourth Amendment which protects against warrantless seizures, and in this case, the person.

The MSRPA supports efforts to stop straw purchases, but inconsistent enforcement of existing laws and failure to prosecute those who buy firearms for dangerous criminals has left many communities in Maryland and across the country no safer than were there no laws at all.

A better use of available resources is a campaign:

DON'T LIE FOR THE OTHER GUY

<https://www.dontlie.org>

The National Shooting Sports Foundation (NSSF), the trade association for the firearms industry, in coordination with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATFE), the Department of Justice (DOJ) and Office of Justice Programs (OJP) launched *Don't Lie for the Other Guy*, a national campaign to prevent and discourage illegal "straw man" purchases of firearms, in July 2000.

Since then, firearms retailers throughout the United States have learned how better to identify potential straw purchasers. At the same time, the public in cities across the country learned the very severe consequences of illegally purchasing a firearm for someone who cannot legally possess one or who does not want to have his or her name associated with the transaction. The Don't Lie campaign drives home the message that anyone attempting an illegal firearm purchase faces a stiff federal penalty: Buy a gun for someone who can't and buy yourself 15 years in jail.

The MSRPA respectfully requests an unfavorable report on HB 21.

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