

Tuesday, February 27, 2024

To: Honorable House Representative

From: Evan Avnet, CEO USTASC

2029 Northwood Drive, Salisbury, MD 21801

Re: HB947 - Against

Hello,

About HB947, the bill itself is very unclear in its wording, “(A) A FIREARM INDUSTRY MEMBER MAY NOT KNOWINGLY OR RECKLESSLY 19 CREATE, MAINTAIN, OR CONTRIBUTE TO HARM TO THE PUBLIC THROUGH THE SALE, 20 MANUFACTURE, DISTRIBUTION, IMPORTATION, OR MARKETING OF A 21 FIREARM-RELATED PRODUCT BY ENGAGING IN CONDUCT THAT IS: 22 (1) UNLAWFUL; OR 23 (2) **UNREASONABLE UNDER THE TOTALITY OF THE CIRCUMSTANCES.** 24 (B) A FIREARM INDUSTRY MEMBER SHALL ESTABLISH AND IMPLEMENT 25 **REASONABLE CONTROLS** REGARDING THE SALE, MANUFACTURE, DISTRIBUTION, 26 IMPORTATION, MARKETING, POSSESSION, AND USE OF THE FIREARM INDUSTRY 27 MEMBER’S FIREARM-RELATED PRODUCTS.”

Specifically, the federal and state governments already require firearms dealers to complete background checks on all firearms purchasers, including those of long guns. Maryland also goes as far as requiring citizens to obtain an HQL permit to purchase a handgun, requiring that fingerprints be submitted. Moreover, fingerprints and a handgun permit application must be submitted in order for citizens to carry a firearm legally.

The text of “unreasonable under the totality of the circumstances” is far too broad and could define any circumstance under that regard. Moreover, firearms dealers are already required to complete background checks on applicants to purchase a firearm per those as mentioned above. Therefore, it is unclear as to what “reasonable controls” means in the text.

Suppose we are going to make firearms dealers and manufacturers legally responsible for the actions of purchasers who commit crimes with those firearms on their own accord. In that case, we must also make Lowes and Home Depot accountable for those who commit crimes with hammers, crowbars, etc.

I reference you to FBI statistics, “Consider the FBI’s data on homicides in the country. From 2015-2019, according to FBI homicide statistics, an average of 315 people were killed annually by rifles. Some subset of those might be considered assault weapons. In comparison, hammers — a tool traditionally used for home improvement — were used in an average of 446 homicides per year.” (Tremoglie & Tremoglie, 2023)



2019 CRIME in the UNITED STATES



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Expanded

Homicide Data Table 8

Murder Victims

by Weapon, 2015–2019

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Weapons	2015	2016	2017	2018	2019
Total	13,847	15,355	15,206	14,446	13,927
Total firearms:	9,143	10,398	11,014	10,445	10,258
Handguns	6,194	6,778	7,052	6,683	6,368
Rifles	215	300	389	305	364
Shotguns	248	247	263	237	200
Other guns	152	172	178	164	45
Firearms, type not stated	2,334	2,901	3,132	3,056	3,281
Knives or cutting instruments	1,533	1,562	1,608	1,542	1,476
Blunt objects (clubs, hammers, etc.)	438	466	474	455	397
Personal weapons (hands, fists, feet, etc.) ¹	651	668	715	712	600
Poison	8	12	15	6	16
Explosives	1	1	0	4	3
Fire	63	78	93	76	81

(Expanded Homicide Data Table 8, n.d.-b)

Respectfully Submitted,

Evan Avnet, CEO USTASC

Reference

Expanded Homicide Data Table 8. (n.d.). FBI. <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/tables/expanded-homicide-data-table-8.xls>

Tremoglie, C., & Tremoglie, C. (2023, April 6). Hammers are used to kill more people than 'assault weapons' each year - Washington Examiner. Washington Examiner - Political News and Conservative Analysis About Congress, the President, and the Federal Government. <https://www.washingtonexaminer.com/opinion/1483986/hammers-are-used-to-kill-more-people-than-assault-weapons-each-year/>