

SB443 Trafficking Regulated Firearms - Felony Clas

Uploaded by: Adam Rosenberg

Position: FAV



Date: February 5, 2025

To: Chair Smith, Vice Chair Waldstreicher, and the Judicial Proceedings Committee

Reference: Senate Bill 443, Trafficking Regulated Firearms - Felony Classification

Position: FAVORABLE

Dear Chair Smith and Committee Members:

On behalf of LifeBridge Health's Center for Hope I am writing in strong support Senate Bill 443, which seeks to reclassify the illegal trafficking of regulated firearms from a misdemeanor to a felony. This legislative change is crucial to underscore the severity and harm that illegal gun trafficking causes Maryland's citizens.

As of 2022, firearms are now the leading cause of death among children and teens (ages 1-17), surpassing car crashes, overdoses, and cancers – we must act now to protect children BEFORE the violence occurs. Thoughts and prayers are not able to triage bullet wounds. In 2022, there were over 48,000 firearm-related deaths in the United States, with an average of 132 people dying from firearm-related injuries each day.

Two-thirds of guns recovered in crimes in Maryland are traced to out of state sources. Maryland now has one of the HIGHEST rates of out-of-state gun imports in the United States, according to the Giffords Law Center to Prevent Gun Violence. The problem of illegal gun trafficking in Maryland is significant. In 2020, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) traced the origin of 6,357 firearms in Maryland, and of those, 55.2% (3,509 guns) originated from out of state. This high percentage of out-of-state firearms highlights the need for stronger measures to combat illegal trafficking.

1. Enhancing Public Safety

The illegal trafficking of firearms poses a significant threat to public safety. Firearms that are trafficked illegally often end up in the hands of individuals who are prohibited from owning them, including criminals, those with violent histories, people suffering from mental illness, and those who threaten domestic violence. By reclassifying this offense as a felony, we send a clear message that Maryland is committed to taking strong action against those who contribute to gun violence in our communities or who illegally bring guns into our communities despite our very strong state laws.

2. Deterrence and Accountability

Classifying firearm trafficking as a felony will serve as a stronger deterrent to those considering engaging in this illegal activity. The reclassification to circuit court further underscores the severity of the crime of illegal gun trafficking and makes available to prosecutors enhanced and increased penalties and incarcerations. A felony ensures that those who are caught and convicted face appropriate consequences for their actions, reflecting the severity of the crime.

3. Alignment with Federal and State Standards

Many states and the federal government already classify the illegal trafficking of firearms as a felony. For example, under 18 U.S. Code § 933, trafficking in firearms is a federal felony offense, punishable by up to 15 years in prison. States such as California, New York, and Illinois also treat illegal firearm trafficking as a felony, recognizing the

serious nature of this crime. By aligning Maryland's laws with these standards, we ensure consistency and strengthen our collective efforts to combat gun trafficking.

4. Supporting Law Enforcement Efforts

Reclassifying firearm trafficking as a felony will provide law enforcement agencies with more robust tools to investigate and prosecute these crimes. Felony charges often come with enhanced investigative powers and resources, enabling law enforcement to dismantle trafficking networks and prevent firearms from reaching the illegal market more effectively.

5. Community Impact of Gun Trafficking

The impact of illegal gun trafficking on Maryland communities is profound and far-reaching. Maryland has one of the highest rates of out-of-state illegal gun imports, accounting for two-thirds of all gun crimes in the state. This influx of illegal firearms contributes to increased violence, which affects the physical, mental, and emotional health of community members. Exposure to gun violence can lead to long-term trauma, disrupt community cohesion, and create an environment of fear and insecurity. Initiatives like LifeBridge Health's "Stop the Iron Pipeline" highlight the urgent need to address this issue and its detrimental effects on our communities.

In conclusion, Senate Bill 443 represents a critical step forward in our efforts to reduce gun violence and enhance public safety in Maryland. By reclassifying the illegal trafficking of firearms as a felony, we align our state with federal and other state standards, provide stronger deterrents, and support law enforcement in their mission to protect our communities.

I urge the committee to vote favorable Senate Bill 443, given its critical importance.

For more information, please contact:

Adam Rosenberg, Esq.

Executive Director, Center for Hope

Vice President, Violence Intervention & Prevention, LifeBridge Health

arosenberg@lifebridgedhealth.org

Jennifer Witten, M.B.A.

Vice President of Government Relations & Community Development, LifeBridge Health

Jwitten2@lifebridgehealth.org

SB0443_Trafficking_Regulated_Firearms_MLC_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0443
Trafficking Regulated Firearms – Felony Classification

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 SB0443 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.

Firearm violence is escalating across the country due to the proliferation of firearms and the lack of laws that restrict use. Fortunately, Maryland has always been a state that believes in regulating firearms, but there are too many instances where firearms are bought into the state to evade our laws.

This bill, if enacted, would reclassify the act of transporting a regulated firearm into the state in order to sell or traffic it as a felony, with a fine of up to \$25,000 and up to 10 years of prison. Our members believe that we must do all we can to keep firearms from being trafficked into Maryland.

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

SB0443_Testimony_2A_Maryland.pdf

Uploaded by: John Josselyn

Position: FAV



2A Maryland

P.O. Box 8922 • Elkridge, MD 21075
2A@2AMaryland.org

Senate Bill 0443
Trafficking Regulated Firearms - Felony Classification
FAVORABLE

Since 1988, the Maryland General Assembly has enacted at least thirty-four-gun related laws, which have demonstrated little to no impact on criminal behavior. However, they do make it more expensive and burdensome for Maryland's law-abiding citizens to exercise their Constitutional Rights.

Under current law, criminals who flaunt both State and Federal laws by illegal trafficking firearms to supply criminals in Maryland risk only a misdemeanor offense in the event they are arrested, charged and convicted. Even upon conviction, no minimum sentence provision applies. This seems incongruous given the use of a handgun in the commission of a crime (a misdemeanor offense) carries a 5-year minimum sentence. A current television PSA contends the "system is rigged" and in a sense, it is. Current legislation on firearms trafficking favors the criminal simply because the law is too lenient.

We recommend amendments to include the following:

- A 5-year minimum sentence without parole for those persons convicted of trafficking firearms in Maryland.
- Each firearm shall be a separate offense.

While Senate Bill 0443 is not as strong as it could and should be, it is a step in the right direction.

We urge a favorable report on Senate Bill 0443.

Respectfully,

John H. Josselyn
2A Maryland
02/05/2025

Attachment (1)

2A Maryland - Maryland Gun Laws 1988-2024

Session	Bill Number	Bill Title
1988	HB1131	Handguns - Prohibition of Manufacture and Sale (Saturday Night Special Ban)
1989	SB0531	Firearms - Assault Weapons
1992	SB0043	Firearms - Access by Minors
1993	SB0330	Gun Shows - Sale, Trade or Transfer of Regulated Firearms
1994	HB0595?	Storehouse Breaking - Penalty
1994	SB0619	Assault Pistol Ban
1996	HB0297	Maryland Gun Violence Act of 1996
1996	HB1254	Education - Expulsion for Bringing a Firearm onto School Property
1999	HB0907	School Safety Act of 1999
2000	SB0211	Responsible Gun Safety Act of 2000
2001	HB0305	Bulletproof Body Armor - Prohibitions
2002	HB1272	Criminal Justice Information System - Criminal History Records Check
2009	HB0296	Family Law - Protective Orders - Surrender of Firearms
2009	HB0302	Family Law - Temporary Protective Orders - Surrender of Firearms
2011	HB0241	Criminal Law - Restrictions Against Use and Possession of Firearms
2011	HB0519	Firearms - Violation of Specified Prohibitions - Ammunition and Penalty
2012	HB0209	Public Safety - Possession of Firearms - Crimes Committed in Other States
2012	HB0618	Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms
2013	SB0281	Firearms Safety Act of 2013
2018	HB1029	Criminal Law - Wearing, Carrying or Transporting Loaded Handgun - Subsequent Offender
2018	HB1302	Public Safety - Extreme Risk Protective Orders
2018	HB1646	Criminal Procedure - Firearms Transfer
2018	SB0707	Criminal Law - Firearm Crimes - Rapid Fire Trigger Activators
2019	SB0346	Public Safety - Regulated Firearms - Prohibition of Loans
2020	HB1629	Office of the Attorney General - Firearm Crime, Injuries, Fatalities, and Crime Firearms - Study
2021	HB1186	Office of the Attorney General - Firearm Crime, Injuries, Fatalities, and Crime Firearms - Study Extension
2022	SB0387	Public Safety - Untraceable Firearms
2022	SB0861	Crimes - Firearms and Inmates - Enforcement, Procedures, and Reporting
2022	HB1021	Public Safety - Licensed Firearms Dealers - Security Requirements
2023	SB0001	Criminal Law - Wearing, Carrying, or Transporting Firearms - Restrictions (Gun Safety Act of 2023)
2023	SB0858	Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)
2023	HB0824	Public Safety - Regulated Firearms - Possession and Permits to Carry, Wear, and Transport a Handgun
2024	HB0810	Criminal Law - Rapid-Fire Activator - Switch/Auto-Sear
2024	HB0947	Civil Actions - Public Nuisances - Firearm Industry Members (Gun Industry Accountability Act of 2024)

SB 443 - MSAA Favorable.pdf

Uploaded by: Patrick Gilbert

Position: FAV



Maryland State's Attorneys' Association

3300 North Ridge Road, Suite 185

Ellicott City, Maryland 21043

410-203-9881

FAX 410-203-9891

Rich Gibson
President

Steven I. Kroll
Coordinator

DATE: February 3, 2025

BILL NUMBER: SB 443

POSITION: Favorable

The Maryland State's Attorneys' Association (MSAA) supports Senate Bill 443 and urges this Committee to issue a favorable report.

Gun violence is the leading cause of death among young people in our nation. The Bloomberg School of Public Health at Johns Hopkins University found that nearly three times as many children between the ages of 10 and 17 died from gun homicides in 2022 than in 2013.¹ Due in large part to out-of-state firearms traffickers, illegal handguns are readily available and easy to obtain in our neighborhoods.²

SB 443 makes the illegal trafficking of regulated firearms a felony instead of misdemeanor, taking a modest, common-sense step towards ensuring our laws reflect the danger posed, and tragedy caused, by this conduct. MSAA urges this Committee to issue a favorable report.

¹ Silvia Villarreal, Rose Kim, Elizabeth Wagner, Nandita Somayaji, Ari Davis & Cassandra Crifasi, *Gun Violence in the United States 2022: Examining the Burden Among Children and Teens*. JOHNS HOPKINS BLOOMBERG SCHOOL OF PUBLIC HEALTH, September 2024, at 12.

² Ron Cassie, *Iron Pipeline*, BALTIMORE MAGAZINE, December 2020.