

March 2, 2020

Testimony in regard to SB 0958 untraceable firearms

Gene Kohler
3231 Chrisland Dr.
Annapolis, MD 21402
410 295 6686
gmkoh@comcast.net

Position on bill: OPPOSE

1. This is yet another bill aimed at outlawing firearms possession of all persons, which has become the obvious goal of many of the supporters of restrictive firearms legislation:

This is patently obvious when listening to the committee proceeding and none of the witness, including the supporters “expert” (and often non Maryland resident) witnesses) none of whom can produce even anecdotal data the actually relates to the bill in question. Witness after witness will testify that they are a firearm violence survivor and therefore support this bill. None have been able to demonstrate how the bill in question applies to their violence survivorship, or how it would have prevented the “violence”. Some early in this session have been honest enough to admit that they wanted to remove all firearms from private citizens, that is until they were counseled by their leaders not to mention that in testimony.

2. One of the broadest, most restrictive firearms legislation in the country, Firearms safety act of 2013, was passed in spite of over a decade of decreasing violence rates in Maryland. If one discounts Baltimore (10% of Maryland’s population but 60% of Maryland’s murders annually) Maryland would have been one of the top 5 safest states in the US.

The goal was to reduce violence in general and firearms violence in particular. All the provisions of the bill were restrictive in nature, restricting certain types of firearms and accessories, adding expense and administrative hurdles and stricter requirements to firearms ownership. Any amendment proposed to add or increase penalties for violent criminal were rejected by the MGA. Significant testimony included the statement by the Baltimore Chief of Police, Chief Batts at the time, that in response to a question as to the source of firearms used by Baltimore criminals to the effect that he did not know because very few firearms were recovered.

Six years later, the common sense provisions of FSA13 has been shown to be not just ineffective, but counter productive. Murders in Maryland have reached record levels, Baltimore has become the most dangerous city in the US, and the murder rate has gone up over 70% in that time. And the statistics probably do not tell the whole story. UMMC Shock Trauma has become so good at saving lives, the numbers of non fatal shootings has gone up even higher than the murders. Thank God the criminals are such lousy shots.

Common sense-rational sense- would dictate that when one course of action has failed to show any positive results, nay has actually shown an exacerbation of the issue, that another course of action should be explored instead of doubling down on the failed strategy. (of course, I mean the failed strategy has been firearms restriction and prohibition).

3. This is another bill that is restrictive. It does not address the problem proactively, not does it address any demonstrable problem.

4. This bill addresses "untraceable" firearms. But not all untraceable firearms should be grouped together together. Let me address the different categories separately. And it is important to look at relevant argument for and against in light of each category.

a. Serial files off, removed, of obliterated. This is already prohibited by federal law. Testimony in favor of this bill has already been presented that 30% of the recovered firearms used in crime in California were untraceable. But the witness was unable to break them down. I would submit that the great majority were in this group- serial numbers obliterated. Already illegal.

b. 3D printed. 3 D printers are expensive and require skill to use, Not a predominate trait of most violent criminals. They are also bulky, unreliable and dangerous. The technology is not there yet. You cant print out a 3d firearm at the library. (some counties offer 3d printers at one or more public libraries)

c. CNC manufactured firearms. CNC machines are huge and expensive (10's of thousands of dollars). Not likely a criminal gang would make that investment when smuggled or stolen firearms are more readily available and cheaper. Manufacturing of firearms without a federal license is already tightly restricted by federal law and requires a license. Individuals could use one for making one or two firearms, but the numbers are low and the statisitcs do not support the notion that these firearms are used in any significant numbers in crime. Federal law allows construction of firearms for personal use but not with the intention of sale.

d. Firearms constructed basically from raw materials. From raw materials- blocks of aluminum, steel, or polymers.. These are generally more expensive than buying a manufactured firearm of equal quality. Enthusiasts choose to make their own for the satisfaction of making a functional tool, understanding the technology of what they shoot, creating a one of a kind firearm to be passed down maybe for generations, to commemorate an event or something of significance. Some consider a firearm a work f art- the melding of form and function. Most with criminal intend will not invest the time, expense, and effort necessary. And the making or assembly of a prohibited firearm is already illegal.

Banning those firearms in B, C and D that are not already illegal would require a taking nd that would cost Maryland taxpayers and unknown amount for what will provide no gain. No manufacturer will issue a serial number for a firearm that they did not make. An option would be to task the MSP to issue a state serial number, but this would entail additional personnel and time that they might not be able to spare.

The point is, I have been able to find nothing to support the idea prohibiting any of the last three categories would impact violent crime. And the first category is already prohibited. Before supporting this bill, I urge you to investigate the magnitude of the problem is there is any problem at all.

V/R
Gene Kohler, DMD
Capt, USN (ret)