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*Written Testimony of Katie Novotny in Opposition of SB958*

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March 3, 2020

I am a member of Multiple Gun Rights organizations. Maryland Shall Issue, Associated Gun Clubs, Maryland State Rifle and Pistol Association, and the National Rifle Association. I am a certified Range Safety Officer with the NRA. I compete in multiple shooting events such as Steel Challenge, 3-gun, small bore, and vintage military rifle matches. I am an avid firearms collector. I oppose SB958.

This bill is over reach by the State and serves no purpose except to criminalize normal, lawful behavior. It has been legal to manufacture firearms for one's own use for the entire history of the United States.

A portion of this bill, page 4, lines 12 through 19, are taken entirely from the ATF frequently asked questions page. <https://www.atf.gov/firearms/qa/firearm-illegal-if-it-made-plastic> It is already federally illegal to manufacture a firearm that is not detectable by a metal detector, why do we wish to make it even more illegal? It is also already federally illegal to manufacture homemade firearms for sale. They are intended for personal use. <https://www.atf.gov/firearms/qa/what-atf-doing-regards-people-making-their-own-firearms>

This bill has severe first amendment implications. The government may not ban certain speech simply because it disagrees with it. A content based ban must meet the strict scrutiny standard and meet a compelling state interest. There is no compelling state interest here, aside from the desire to ban ownership of certain firearms based on fear.

Serial numbers are only useful for an owner keeping track of their property, perhaps for collector insurance purposes. They are not particularly useful in solving crime, or anything else. Details here: <http://www.davekopel.org/2A/LawRev/CluelessBATFtracing.htm> Basically, the ATF is authorized to track guns using the serial number, but only when requested to do so by the police. The police do not do a trace on a majority of firearms recovered because where they came from generally has no bearing on their case. So information gathered by the ATF from traces is not representative of anything. If serial numbers were important, police would request traces significantly more often.

There is so much focus on tracking a firearm by the serial number. The presence of a serial number does not automatically make it easier to track a firearm or to solve a crime. Serial numbers are not tracking devices, they do not act as a GPS device to take you to the gun and the perpetrator of a crime that gun was used in. Furthermore, tracking property by a GPS unit is also unconstitutional, as decided in *United States v. Jones*.

Because of these reasons above, I request an unfavorable report.

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