



**TESTIMONY OF THE CRITICAL ISSUES FORUM: ADVOCACY  
FOR SOCIAL JUSTICE OF MONTGOMERY COUNTY, MARYLAND  
ON MARCH 3, 2020  
BEFORE THE SENATE JUDICIAL PROCEEDINGS COMMITTEE  
IN SUPPORT OF SB 958 UNTRACEABLE FIREARMS ACT**

Honorable Chair William Smith, Vice-Chair Jeffrey Waldstreicher, and Members of the Senate Judicial Proceedings Committee:

The Critical Issues Forum: Advocacy for Social Justice (CIF), which was formed by a group of synagogues in Montgomery County, appreciates the opportunity to provide its testimony in support of SB 958, the Untraceable Firearms Act. Comprised of Temple Beth Ami, Kol Shalom, and Adat Shalom, CIF represents over 1,750 households and three branches of Judaism: Reform, Conservative, and Reconstructionist. CIF serves as a vehicle for our congregations to speak out on policy issues that relate to our shared values.

Jewish tradition emphasizes the sanctity and primary value of human life. The Bible commands us, "Thou shalt not murder" (Exodus 20:13) and "Do not stand idly by the blood of your neighbor" (Leviticus 19:16). The Talmud teaches us that "he who takes one life it is as though he has destroyed the universe and he who saves one life it is as though he has saved the universe"(Mishnah Sanhedrin 4:5). Gun violence is a widespread problem in our society and we must address the issue in its various forms, from mass shootings and hate crimes to domestic violence and suicide. CIF is committed to supporting common sense laws that save lives and thus affirm the value of all human life.

Enforcement of our criminal laws is dependent on being able to trace firearms, and assuring the safety of our citizens in airplanes and public buildings is dependent on being able to detect firearms through metal detectors. Both of these essential law enforcement activities are undermined by the advent of ghost guns. Ghost guns, which include firearms assembled from kits or made with 3D printers, are untraceable by law enforcement and often undetectable by metal detectors. Such guns do not have a serial number or markings that identify the manufacturer or importer, make, model, and caliber. Without this identifying information, law enforcement cannot run a trace search on a firearm, making it difficult if not impossible to determine the chain of custody of the weapon. Further, these guns may be produced largely from plastic and thus are undetectable by traditional security scanning systems. Finally, buyers of "unfinished" gun parts or components are not required to undergo a background check

under federal law. In short, ghost guns are deadly, yet untraceable and undetectable, weapons that can be legally owned by an individual who has not been subject to -- and perhaps could not pass -- a background check.

SB 958 addresses these urgent law enforcement threats by prescribing the following:

1. A person (other than a federally licensed firearms dealer, manufacturer, or importer), may not manufacture, possess, sell or purchase a firearm manufactured using a 3D printer;
2. A person may not manufacture, possess, sell or purchase a covert or undetectable firearm;
3. A person may not manufacture, possess, sell or purchase a firearm that is not imprinted with a serial number.

SB 958 thus imposes common-sense, reasonable legal prohibitions on the manufacture, sale and possession of undetectable and untraceable ghost guns. If HB 910 is passed, Maryland would join five other states that have enacted laws that address these issues: California<sup>1</sup>, Connecticut<sup>2</sup>, New Jersey<sup>3</sup>, Washington<sup>4</sup>, and New York<sup>5</sup>.

Untraceable guns are increasingly used by illegal gun trafficking rings across the country, and ghost guns have been used in multiple recent shootings.<sup>6</sup> This is a real issue in Maryland. A student at Clarksburg High School, one day after the Parkland, Florida school massacre, brought a home-built gun to his school. In the student's home an AR-15 rifle was also found to be in mid assembly.<sup>7</sup> In 2019, a Montgomery County man was arrested for selling ghost guns. Prosecutors said he had sold the guns to drug dealers, heroin users, robbers and gang members.<sup>8</sup> In 2016, the Baltimore police responded to an incident involving a man armed with a ghost gun: an AR-15 style rifle loaded with armor piercing bullets. The man was a violent repeat offender.<sup>9</sup>

This is a growing issue. Gun tracking statistics are hard to find as the type of gun is not always tracked. But since 2017, police in Montgomery County have recovered 60 ghost guns. Last year, Prince George's police found 63 ghost guns. Baltimore police have found a "major uptick in ghost gun seizures over the last year." This is also an issue in nearby Philadelphia and the

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<sup>1</sup> Cal. Penal Code § 29180(b)(1), id. § 29180(b)(2)(A)

<sup>2</sup> Conn. Pub. Act No. 19-6 (2019)

<sup>3</sup> N.J. Stat. Ann. § 2C:39-9

<sup>4</sup> <http://leg.wa.gov/Senate/Committees/LAW/Documents/2019%20Washington%20Firearms%20Final.pdf>

<sup>5</sup> N.Y. Penal Law § 265.50(A)

<sup>6</sup> <https://law.center.giffords.org/gun-laws/policy-areas/hardware-ammunition/ghost-guns/>

<sup>7</sup> <https://wjla.com/features/7-on-your-side/ghost-guns>

<sup>8</sup> <https://wtop.com/montgomery-county/2019/12/long-prison-term-for-maryland-man-who-sold-untraceable-guns-to-criminals/>

<sup>9</sup> <https://www.wbaltv.com/article/concern-grows-over-untraceable-ghost-guns-readily-available-online/8729989>

District of Columbia. An overview of recent police seizures of ghost guns was described in a front-page story in the February 28, 2020 Washington Post. The District is considering emergency legislation to address ghost guns.<sup>10</sup>

SB 598 does not prevent individuals from continuing to build their own firearms provided that they are imprinted with a serial number obtained from a Federally licensed manufacturer or importer.<sup>11</sup> This legislation provides additional tools for law enforcement in fighting crime by reducing untraceable and undetectable firearms in Maryland.

The Untraceable Firearm Act provisions are positive measures to responsibly regulate firearms. CIF urges this committee to favorably report legislation to ensure that firearms are traceable and detectable, thereby assisting law enforcement in fighting and preventing crime and ensuring the security of all of us.

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<sup>10</sup> [https://www.washingtonpost.com/local/public-safety/district-seeks-to-ban-ghost-gun-kits-as-seizures-of-homemade-weapons-soar/2020/02/27/d12be0da-5416-11ea-9e47-59804be1dcfb\\_story.html](https://www.washingtonpost.com/local/public-safety/district-seeks-to-ban-ghost-gun-kits-as-seizures-of-homemade-weapons-soar/2020/02/27/d12be0da-5416-11ea-9e47-59804be1dcfb_story.html)

<sup>11</sup> California recently enacted legislation requiring serial numbers from either a Federal licensed manufacturer or the California Department of Justice on home assembled firearms including receivers. California Criminal Code Section 29180.