

Stoney Creek Fishing & Hunting Club
9090 Ft. Smallwood Rd.
Pasadena, MD 21122

February 5, 2020

HB 302 – Criminal Law – Deadly Weapons on School Property – Nonpublic Schools
(No Weapons on Nonpublic School Property Act)

Opposed

The Stoney Creek Fishing and Hunting Club, which has some 300 members and has been in existence for over 70 years, **OPPOSES** HB 302. We oppose the Bill because we believe it is an inappropriate intrusion of government into the activities of private institutions, “gun-free zones” are a magnet that attracts individuals bent on killing innocent people, it will ensnare unsuspecting, legitimate firearms owners, and it will be difficult to enforce.

HB 302 proposes to prescribe to “nonpublic” schools their policies concerning the availability of firearms on their properties. We realize the State has an oversight role for nonprofit schools; however, we believe HD 302 intrudes upon an area of responsibility that is best addressed by “those on the scene”. Officials responsible for the operation of these schools know better than anyone else the potential threats and can procure, if needed, professional help in handling these threats. The State should not foreclose the options available to them.

Gun-free zones are known to attract individuals who are determined to inflict harm on a number of people. The individuals do so because they know beforehand they can act with impunity. According to the *Crime Prevention Research Center* (March 4, 2018) for the period 1950 - July 10, 2016, 98.4% of the mass shooting in the United States occurred in gun-free zones. These include the shootings at a church in Charleston, SC, the Orlando, FL night club, the Ft. Lauderdale International Airport, the church in Texas, the movie house in Aurora, CO and more recently several U.S. military installations. The *National Review* (January 31, 2014) reported the shooter in the Aurora situation had the choice of selecting seven theaters, all showing the same movie and all within a relatively short drive of his home. However, the theater he chose was the only one that had posted signs banning concealed firearms. He bypassed a theater with a much larger seating capacity because it had not restricted firearms.

HB 302 would prohibit citizens from carrying concealed firearms on the properties of Maryland’s nonpublic schools some of which are small and may operate in rental space. The Bill ignores the fact that individuals with carry permits have undergone mandatory training and have been thoroughly and extensively investigated and vetted by the Maryland State Police before being issued their permits. These individuals have been authorized to carry a firearm to protect themselves from known, high risk situations such

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as: domestic violence; being in sensitive, high risk occupations; carrying large sums of cash or valuable items, etc. For the State, on one hand to provide individuals the capability to defend themselves, but on the other selectively and arbitrarily deny that right seems indefensible

Further, under HB302, an individual with a permit, who upon arriving at a nonpublic school facility, locks their firearm in the trunk of their vehicle and then enters the school would still be guilty of violating the law. A similar a situation would exist if the individual were merely traversing the campus of a nonpublic school with no intention of stopping.

It appears HB 302 would be difficult to enforce as a number of Maryland's nonpublic schools are located in urbane environments adjacent to public roadways, particularly in areas such as Baltimore City. The schools may also be located in rental space with other organizations in the same facility. This could make it difficult for the person carrying a firearm to know when they are, or are not, on a school's property. Law enforcement could face the same challenge in determining if a violation has occurred.

The final irony of HB 302 is that anyone with a carry permit convicted of violating the Bills provisions, even if they made an innocent mistake, would have a lifetime prohibition of firearms ownership. This would be "double jeopardy" in that they would also lose the ability to protect themselves.

We believe HB 302 would create an unfortunate intrusion into the nonpublic education sector and will lessen, rather than enhance, the security of such schools. Further, the Bill's provisions will put persons who face known threats to their lives in jeopardy. Lastly, we believe the Bill will be difficult to enforce.

Accordingly, we respectfully request an unfavorable report for HB 302.



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