



Volunteer Testimony



HB 636- SUPPORT

Child Access Prevention Public Safety - Access to Firearms - Storage Requirements

TESTIMONY OF THE CRITICAL ISSUES FORUM: ADVOCACY FOR SOCIAL JUSTICE OF MONTGOMERY COUNTY, MARYLAND AND TEMPLE SINAI

House Judiciary

February 19, 2020

Honorable Chair Luke Clippenger, Vice-Chair Vanessa Atterbeary, and Members of the House Judiciary 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 HB 636, to prevent child access to firearms.. Comprised of Temple Beth Ami, Kol Shalom, and Adat Shalom, CIF represents over 1,750 households and 3 denominations 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.

In addition to the three congregations that make up the Critical Issues Forum, Temple Sinai, which has an award-winning gun violence prevention program, also supports this testimony. Temple Sinai is a Reform congregation located in northwest Washington DC; its membership includes some 1200 households, more than half of which reside in Maryland, mainly in Montgomery County.

Jewish tradition emphasizes the sanctity and primary value of human life. The Bible commands us, "Thou shalt not murder" (Exodus 20:13). 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). Our tikkun olam/repair the world mission also remains strongly rooted in and inspired by Jewish traditions which urge us to eschew violence and protect life, e.g., Isaiah (2:4) urges us to "beat [our] swords into plowshares and [our] spears into pruning hooks," and Leviticus (19:16) tells us that we should "not stand idly by while [our] neighbor's blood is shed."

The dehumanizing of the human being and the carelessness with which human life is taken stand

in direct violation of these affirmations of our tradition. 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.

One of our most important responsibilities is preventing young people from gaining access to firearms. In this too we are guided by our Jewish legal and ethical traditions. Deuteronomy 22:8 commands us to take care to make our houses safe: "When you build a new house, you shall make a railing for your roof, so that you do not bring blood on your house if anyone should fall from it." This directive, which later commentators extended to raising vicious dogs and other risky behaviors, surely applies to ensuring that children cannot access firearms in our homes.

Maryland's current firearm access statute defines a minor as someone under the age of 16. The inadequacy of the limitation was tragically brought home by the murder of Jaelynn Willey in 2018 by a 17-year-old classmate while within the walls of Great Mills High School, here in Maryland, as well as the fatal school shooting of two students by a 16-year-old classmate in Santa Clarita, California, a few months ago.

Of course, the danger to children posed by unsecured firearms in the home is not limited to school shootings. In 2017, firearms were the third leading cause of death for youth under age 18, with 1,814 victims. Forty percent of those deaths were suicides and 51% were homicides.¹ According to the Harvard Injury Control Research Center, in 82% of youth suicides, the victim gained access to the firearm from a family member.² Nationwide, fewer than 1 in 3 homes with youth and firearms follow the American Academy of Pediatrics recommendations to store all household firearms locked and unloaded, meaning that 15 million youth live in this unsafe situation.³

There is no doubt that Child Access Prevention (CAP) laws are successful in reducing youth suicide and gun injuries. A 1997 study determined that the enactment of the first 12 CAP laws were associated with a 19% decline in suicides among youth age 10-14 and 8.3% reduction for youth age 14-17.⁴ A later study found that CAP laws were associated with a 10.8% reduction in firearm suicides overall and even an 11.1% reduction in suicide rates for older youth age 18-20.⁵ As this study noted, "CAP laws may encourage gun owners ... [with young children] to adopt safe practices that endure" after their children are older, and "may increase awareness and change social norms to encourage gun owners to secure firearms..." CAP laws are also associated with a 26% average reduction in non-fatal gun injuries among children.

¹ Crifasi, Cassandra K., et al. "Storage Practices of US Gun Owners in 2016." *American Journal of Public Health*, vol. 108, no. 4, 2018, pp. 532– 537., doi:10.2105/ajph.2017.304262.

² Harvard Injury Control Research Center, Youth Access to Firearms, <https://www.hsph.harvard.edu/means-matter/means-matter/youth-access/>

³ Monuteaux, Michael C., et al. "Association of Increased Safe Household Firearm Storage With Firearm Suicide and Unintentional Death Among Youths *JAMA Pediatrics*, 13 May 2019, doi:10.1001/jamapediatrics.2019.1078.

⁴ Cummings P, Grossman DC, Rivara FP, Koepsell TD. State gun safe storage laws and child mortality due to firearms. *JAMA*. 1997;278:1084-1086.

⁵ Webster, Daniel W., et al. "Association Between Youth-Focused Firearm Laws and Youth Suicides." *Jama*, vol. 292, no. 5, 8 Aug. 2004, p. 594., doi:10.1001/jama.292.5.594

Maryland leaders understood the importance of preventing firearm access to young people when they passed our state's existing law. However, the passage of time and experience in other states indicates that Maryland's standards must be strengthened. Critically, Maryland only requires that firearms be safeguarded for children under age 16, where 17 other states require this protection for youth under age 18. As the two tragic school shootings described above demonstrate, the current age limit is insufficient. Further, raising the age where safe storage is required will send an important message that safe storage is generally necessary. We must continue to motivate members of our communities to store their firearms safely.

In addition to raising the age where safe storage is required, HB 636 modifies the current law in other important respects. The current law requires that only loaded guns be safely stored. The bill requires safe storage of unloaded guns as well. The bill also changes the standard to impose liability where a minor "could" get access to the firearm, rather than the current standard, which only imposes liability if a minor "would" get access.

Finally, under current law, the maximum penalty for violating the law, no matter how dire the consequences, is a \$1000 fine. Under HB 636, the penalty solely for failing to safely store a firearm would be increased to include possible time in jail not to exceed 90 days. The potential penalty is graduated, with more strict penalties where a minor gains access to a firearm and where the firearm causes harm to the minor or another person. These changes will send a clear message concerning the potentially tragic consequences of unsecured firearms in the home.

These commonsense modifications to Maryland's current law for the safe storage of firearms will enhance the safety of our state's youth, protecting them and their parents from needless tragedy.

CIF, joined by Temple Sinai, urges the committee to support House Bill 636 to strengthen existing child access prevention provisions.