



Testimony of Mindy Landau, Maryland State Executive Committee Lead, Brady  
Support for HB 1501  
Before the Maryland House Judiciary Committee  
March 4th, 2020

Chairman Clippinger, Vice Chair Atterbeary, and Other Distinguished Members of the Maryland House Judiciary Committee,

**I'm here today seeking a favorable report from this committee for HB 1501.**

Founded in 1974, Brady works across Congress, courts, and communities, uniting gun owners and non-gun owners alike, to take action, not sides, and end America's gun violence epidemic. Brady's Maryland State Executive Committee is made up of a diverse group of grassroots leaders and advocates across the state who raise their voices, educate their communities, and organize and advocate for common-sense gun violence prevention policies at the local, state, and national level.

There are evidence-based policy solutions that we know will address the gun violence epidemic in Maryland. And make no mistake, gun violence is an epidemic, both nationwide and in the state of Maryland. Over 650 people die in Maryland each year, on average, due to firearms.

**The bill before you today, HB 1501, will strengthen the reporting requirements for lost or stolen firearms, in order to give law enforcement more time to identify suspects and recover lost firearms before they can be used in crime.**

Gun theft in the United States has been identified as a significant problem, and lost and stolen guns become an immediate part of the criminal gun market in the state of Maryland and beyond. The Federal Bureau of Investigation (FBI) has estimated that 1.4 million firearms were stolen from private individuals between 2005 and 2010,<sup>1</sup> and a 2017 study conducted by researchers concluded that approximately 380,000 firearms are stolen from private individuals annually.<sup>2</sup> Despite this, the National Crime

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<sup>1</sup> US Bureau of Alcohol, Tobacco, Firearms, and Explosives, "2012 Report of Firearms Reported Lost and Stolen," June 2013.

<sup>2</sup> David Hemenway, et al, "Whose Guns Are Stolen: The Epidemiology of Gun Theft Victims," Inj Epidemiol, December 2017; 4: 11, [www.ncbi.nlm.nih.gov/pmc/articles/PMC5385318/](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC5385318/).

Victimization Survey revealed that, from 2011 to 2015, 1 in 4, or 25% of guns stolen from individuals went unreported to law enforcement.<sup>3</sup>

This is troubling because lost and stolen firearms don't just feed the criminal gun market, but the lack of expeditious reporting also impedes criminal investigations as these guns are notoriously difficult to trace. This directly interferes with law enforcement's ability to quickly identify suspects tied to serious gun crimes. As noted in a recent ATF report: "Those that steal firearms commit violent crimes with stolen guns, transfer stolen arms to others who commit crimes, and create an unregulated secondary market for firearms."<sup>4</sup> In fact, the National Shooting Sports Foundation (NSSF), the official trade association for the firearms industry, has also reported on the severity of firearm theft in the US. In 2017, Larry Keane, the Senior VP of the NSSF stated "there are more guns stolen every year than there are violent crimes with firearms. Gun owners should be aware of the issue."<sup>5</sup>

This scenario has played out numerous occasions in the state of Maryland. In one instance in 2015, a theft of 60 guns from a Baltimore storage unit contributed to the commission of numerous serious and violent crimes.<sup>6</sup> Semi-automatic assault rifles were sold and traded for use in drug trafficking offenses, robberies, and carjackings in Baltimore. Maryland Attorney General Brian Frosh said at the time, "These burglars were illegally selling and distributing stolen firearms and using them to commit acts of violence."<sup>7</sup> This is exactly the type of scenario that this bill aims to prevent.

While Maryland already has a law in place requiring reporting, there is no reason not to strengthen it. Law enforcement has rightly identified that the sooner they are made aware of missing, lost, or stolen firearms, the higher the chance that they can recover them and they won't be used in crime. A research team from Johns Hopkins University also found that strong required reporting of firearm theft or loss by private gun owners also helped to prevent gun trafficking into neighboring states. States with these laws were 30% less likely to export crime guns across state lines.<sup>8</sup> The authors of this study noted "[these laws] are intended to increase private gun seller accountability and provide law enforcement with a tool to combat illegal straw purchases when such purchasers accept no responsibility for the gun being in the hands of a

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<sup>3</sup> Chelsea Parsons and Eugenio Weigend Vargas, "Stolen Guns in America", The Center for American Progress, July 2017, Table 2, available at [www.americanprogress.org/issues/guns-crime/reports/2017/07/25/436533/stolen-guns-america/](http://www.americanprogress.org/issues/guns-crime/reports/2017/07/25/436533/stolen-guns-america/).

<sup>4</sup> U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives, "2012 Report of Firearms Reported Lost and Stolen," June 2013.

<sup>5</sup> Brian Freskos, "Gun Theft From Legal Owners Is on the Rise, Quietly Fueling Violent Crime Across America," St. Louis Post-Dispatch, Dec. 3, 2017, available at [https://www.stltoday.com/news/national/gun-theft-from-legal-owners-is-on-the-rise-quietly/article\\_73e10a94-b97e-55f6-b202-471ae54816a7.html](https://www.stltoday.com/news/national/gun-theft-from-legal-owners-is-on-the-rise-quietly/article_73e10a94-b97e-55f6-b202-471ae54816a7.html).

<sup>6</sup> Kendra Mann, "Officials: 6 Indicted After 60 Guns Stolen from MD Storage Unit, Used in Violent Crimes," WJLA News, Apr. 17, 2017, available at <https://wjla.com/news/crime/officials-6-indicted-after-60-guns-stolen-from-md-storage-unit-used-in-violent-crimes>.

<sup>7</sup> Id.

<sup>8</sup> Daniel Webster, Jon Vernick, Emma McGinty & Ted Alcorn, "Preventing the Diversion of Guns Through Effective Firearm Sales Laws," in *Reducing Gun Violence in America: Informing Policy with Evidence and Analysis* (The Johns Hopkins University Press, 2013), p. 118, available at [https://jhupress.files.wordpress.com/2013/01/1421411113\\_updf.pdf](https://jhupress.files.wordpress.com/2013/01/1421411113_updf.pdf).

prohibited person with dubious claims of unreported gun theft. Having this measure of accountability significantly reduced interstate gun trafficking.”<sup>9</sup>

Other states with strong gun laws similar to Maryland - like Massachusetts, Ohio, Washington D.C., Hawaii, New York, Rhode Island, and New Jersey - already require reporting within a stricter time frame than Maryland’s current law.<sup>10</sup> There is no reason that Maryland cannot, and should not, follow suit. States are consistently looking to strengthen their gun laws, and Maryland’s southern neighbor, the Commonwealth of Virginia, is similarly pursuing a strategy to require reporting within a 48-hour timeframe.

**Brady strongly encourages the House Judiciary Committee to report HB 1501 favorably. Laws that mandate gun owners to notify law enforcement officials when a firearm is lost or stolen work to reduce gun trafficking and straw purchasing, keep guns out of the hands of prohibited purchasers, and allow law enforcement to recover and return these guns to their rightful owners.**

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<sup>9</sup> Id, p. 118

<sup>10</sup> The states of Massachusetts, Ohio, and Washington, D.C. require reporting of lost or stolen guns “forthwith” or “immediately.” Hawaii, New York, and Rhode Island require firearms owners to report lost and stolen firearms within 24 hours, and New Jersey requires reporting within 36 hours. Similarly, the Virginia legislature just passed legislation requiring reporting within 48 hours, though this bill has not yet been signed by the Governor.