

Feb. 2021
Testimony RE: HB0200
Access To Firearms

Position: OPPOSE

HB200 changes the wording of a previously enacted bill in what may seem minor way, but which drastically change both the nature and meaning of the law, is virtually impossible compliance, strips the law abiding firearms owner of a natural right and is ripe for abuse.

Changes are that “child” is changed to “minor”. Why? A 17 yo well knows what he/she is doing and understands the right/wrong of the situation and should not need the dubious protection of this law. (for that matter so should a 13-16yo. The arbitrary delineation of age is specious).

The big change is the substitution of “Could” for “Would” while both are vague and too broad, “could” is so inclusive as to ability to be interpreted as “by any method”. There is no practical method of storing firearms that cannot be defeated. Anything can be broken into given enough time and resources. This bill provides no limitations nor specifications of what is acceptable storage.

Perhaps this body can specify and debate exactly that- what SPECIFICALLY is “reasonable” and “practical” storage? After all, are we all interested in “reasonable” laws.

This bill make me a criminal if I store a firearm, that is loaded and accessible enough to be used in home defense situation, irregardless of my personal situation. IE., a “minor” would have to commit a felony by breaking into my house to attempt to access a firearm, since I have no minors who reside in my abode, nor habitually visit.

I am 71 years old, an 80% disabled veteran who lives alone and thus an assumed “soft” target which puts me at increased risk and leaves me vulnerable to assault (home invasion for example). This bill will either make me a criminal or render me virtually helpless.

My suggestion, instead of focusing on doubling down with ever more restrictive firearms limitations, which obviously have not worked to look for a new approach. (Look at FSA13. Violent crime was on the decrease for many years prior to 2013 in Maryland. But almost immediately (within a year) POOF! Murders in Baltimore soared to historically high rates and have remained well over 300 annually and are on pace for the same in 2021 in spite of FSA 13 and the firearm control measures passed each subsequent year).

That new approach will include holding criminals responsible. Stop our revolving door justice system. Mandatory sentencing. The BPD has not recovered a single firearm used in a violent crime that legally obtained. Do this in conjunction with measures to return family values. To make parents take responsibility. Clean up the drug problem. The VAST majority of homicides in Maryland are drug related.

Establish firearms safety education in elementary school. The NRA “Eddie Eagle” program could be a model. Teach the children firearm safety, what to do if they find a firearm, and what not to do. A program that neither promotes firearms nor instills the unreasonable, almost hysterical fear so many people exhibit when faced with or discussing firearms, but one that imparts safe practices and demystifying knowledge at an age early enough to be effective.

Other measures with some impact: Tax credit, tax deduction, sales tax forgiveness for purchase of approved firearms safes (even though every firearms safe “could” be broken into, and therefore no firearms safe could not be approved under this law..see where I am going with this? Which course do you think will be more effective?

Please be responsible legislators. Do not just skim the surface, but look deeper. Find the root causes of whatever problems you are trying to solve. Decide on how you would measure effectiveness. Then craft a plan to achieve that. HINT: if it has not worked in the past, esp. when the problem we want to solve gets worse, maybe we are barking up the wrong tree.

I urge an unfavorable finding for this bill

Very Respectfully,
Gene Kohler, Capt, USN (Ret)
Annapolis