

Good afternoon Honorable Delegates and thank you for the opportunity to testify here today. I'm David Bishop in Arnold, Maryland.

Today I'm testifying on behalf of myself as a firearms owner, a hunter, a Marine Corps Veteran and most importantly as a father. As a strong 2nd Amendment supporter, I can confidently stand behind the concept of this bill. I believe many of our Maryland firearms laws are burdensome and an infringement to purchasing and owning a firearm while registrations go against our 4th amendment rights. However, I also believe gun owners are responsible for maintaining reasonable control of their weapons at all times, just as any military or militia member is expected to do. Make no mistake, per Maryland title 13, we are all militia members. This includes keeping them out of the hands of unsupervised children or even violent offenders.

Generally there doesn't seem to be an intent to infringe on the right to keep arms in this bill, with some exceptions that are dangerously left up to interpretation.

1. Setting the burden of impossibility on the owner in order to maintain their right to keep arms in Section c, Paragraph 1 by using the word "could".
2. Punishing the owner when no harm is done and no clear threat to do harm has been shown.

Each of these concerns can be addressed with well worded amendments. I have proposed a very rough draft of the first solution in my written testimony.

I believe we should set a standard for reasonable control and security rather than simply stating the word "could". The language in this section states that a child "Could" come into unsupervised possession of a firearm. Children could be curious or determined enough to sneak away with keys and try to gain access. I have personally taken additional steps with RFID and Biometrics in my own home to ensure this is not the case but even then, it is not absolutely impossible. Rather, it is "reasonably, highly unlikely". This may be the kind of language we want to establish because there are judicial precedents to establish what is reasonable to most people.

However, When we set language in law to require a burden of impossibility for an owner, it ties that to an unobtainable action, thereby making the right itself unobtainable. Owners, like government agencies, cannot safeguard against every possible scenario.

Is this splitting hairs? Maybe. But I believe that our natural rights are worth having these detailed discussions, to identify the "what-if" scenarios around the enforcement of proposed laws. For example, this bill as written would make trigger locks completely exempt from being considered an acceptable security device in the home.

As for the second concern of punishment without harm, we can clearly see that Section C 1 and 2 are secondary charges that cannot be enforced without a warrant for a primary reason to search a home. This should be highlighted within the bill. The focus of promoting this law should be on educating the public and gun owners, or perspective gun owners. Most gun death and accidents can be solved with proper public education.

After listening to many senate testimonies, I believe making these changes will quell any argument from those who oppose this bill. Include more gun owners and 2A advocates in formulating these bills and you will see more effective and enforceable gun laws that will actually reduce violence and accidents.

We need to protect our families from harm. Proper storage and security is vital to that safety. But, we cannot allow our basic human rights to be dependent on the impossibility of harm. If that were the case, we would have no rights at all. It is with that in mind that I can support the intent of this legislation with the proper amendments to ensure both safety and preservation of our rights simultaneously. Take the time to detail acceptable security and storage.

Thank you for your time today and for considering these changes before sending this bill to the floor.

Proposed Amendment:

1. (c) (1) A person may not store or leave a firearm in a location without ensuring that reasonable mechanical or security devices are in place to make it highly unlikely for an unsupervised minor child to discharge the firearm.

(this should accompany what reasonable mechanical and security devices should include, such as removing the firing mechanism, utilizing a trigger lock or safe and keeping keys and RFID access secured from children).