

TESTIMONY IN OPPOSITON RE: HB425 & SB387 “Public Safety – Untraceable Firearms”

Submitted by:

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I am writing today to express my opposition to the two bills noted above.

When I purchased one of these “Polymer 80” lowers a couple of years ago, I did so because I wanted to learn more about firearms and how they were constructed and designed and didn’t want to risk doing damage to any of my other registered and serialized firearms by taking them apart and attempting to reassemble them.

I learned how much time and effort it takes to complete one of these items, especially when you have no previous gunsmithing experience. I spent many hours, over the course of several weeks, carefully performing the necessary steps required to successfully complete the process of drilling, filing, sanding, and assembling – and, at some points in the process, reassembling – the parts into a complete firearm. I knew that even one mistake would render all my work to nothing, and I would have wasted the money I spent purchasing the 80% lower, and would have needed to do so again, if I wanted to complete the process successfully.

I had to purchase additional tools, some of which are specific to this task, and I also had to purchase parts from multiple sources to complete the assembly – costing me far more in both money and time than it would have to simply purchase a similar, serialized version of the same gun.

Now, if these bills become law, I will be likely branded as a criminal, and lose my right to own any firearms at all, if I can’t either find a registered firearms manufacturer or importer to put a serial number on this firearm, or am unwilling to pay whatever price they might charge me to do so; or go out of State to find someone who is willing to purchase it; and I will have wasted my money, time, and effort spent on this project.

These bills go way beyond current Federal Law when it comes to defining them and are so broad in their definition of an unserialized and unfinished receiver or frame that a solid block of metal could be illegal, if someone sells it or markets it as an unfinished receiver.

If this is an attempt to reduce violent crime by getting them off the street, the official statistics don’t show any correlation between the existence and or seizure by law enforcement of these firearms and their use to commit violent crimes. The Baltimore Police Department has stated that ghost gun seizures have increased over the last few years. Yet, according to information from the Baltimore Police Department, the BPD seized 2,355 guns in 2021. Of that number, according to the BPD, 352 were “ghost guns,” including guns made from kits (Polymer 80s). That is slightly less than 15% of the total number of guns seized in 2021. Baltimore’s problem with illegal guns is thus far vaster than “ghost guns.” The BPD does not identify separately the number ghost guns actually used in violent crimes and there are few statistics available on the number of ghost guns actually used in crime. The U.S. Justice Department reported that more than 23,000 weapons without serial numbers were seized by law enforcement between 2016 and 2020 and were linked to 325 homicides or attempted homicides. That’s a very small percentage (0.14%) of these guns being used in crimes vs. the number seized. Criminals are accessing guns via illegal means, usually by either stealing them from law-abiding citizens, or finding other means to purchase them (straw purchases). This proposed ban will do nothing to deter violent crime, nor reduce in any significant way the availability of guns to criminals, who will go to any means to acquire what they want.

Please don't misunderstand my comments as being callous or unfeeling toward those who have become victims of gun violence. No one should have to be a victim of criminals who wish to do others harm.

However, these bills are a poor attempt to resolve the issue of violent crime, that are really due to a systemic breakdown of the criminal justice system, namely: The inability of law enforcement to arrest violent criminals, with a focus on trying to get as many guns off the street as possible while ignoring their own issues of corruption (i.e., Baltimore City's Gun Trace Task Force); The poor performance of prosecutors to build the fact-based evidentiary cases necessary to convict repeat violent offenders, and instead utilizing plea bargains to get some sort of a "win" when their cases are weak; A judicial system that continues to hand down lenient sentences to those who commit these crimes; and a penal system that does little or nothing to try and provide incarcerated individuals with the tools necessary to live in a productive society and avoid recidivism. These issues fall squarely at the feet of those leaders who are the major proponents of this bill – Mayor Scott, BCPD Commissioner Harrison, and Attorney General Frosh. While none of them were in office for the entire time that violent crime has risen in Baltimore City, they have to accept responsibility for what's going on now. What we need is stronger enforcement of the existing laws relating to violent crime, and stiffer penalties for violent criminals who are guilty of these crimes, in order to reduce it.

The act of building, repairing, and upgrading firearms by the owners of them has existed since colonial times. These bills would only turn law-abiding Maryland citizens doing such work into criminals who would lose the right to possess any and all guns that they own, and in no way reduce violent crime.

Thank you for your consideration of my response.

Sincerely,

William B. McCann, Jr.