

Nicholas DeTello

SB387 Public Safety – Untraceable Firearms

Unfavorable

2/16/2022

I am a student, Eagle Scout, family man, as well as a Civil Rights Enthusiast. I have voted independently, am currently registered as a Libertarian, and I have a diverse set of views (some left, some right). These include but are not limited to: social justice, limiting abuse of police power, protection of minority groups (such as my direct LGBT family) and decriminalization of victimless crimes (drug possession, exercising civil rights, etc.). I am also a firearms owner that will be impacted by this bill, and I urge an unfavorable report of Senate Bill 387.

If you pass this bill, it will be impossible for me to comply; the requirements of the bill would force me to destroy firearms I use to protect my family. In testimony for the House Bill, AG Brian Frosh made it clear his target was 80% polymer handgun kits, he did not acknowledge other types of homemade firearms, even when prompted. This bill targets **all** homemade guns however, including 3D printed guns. 3D printed guns are not designed to be modified with drills and serialized metal plates. Please see Figure 1 below for an example of what this bill would do to 3D printed firearms.



Figure 1 - Layer Line fracture

As can be seen above, modifying part of the frame could damage the firearm. The potential for botched serializations will be very high on any homemade firearm, but especially so for 3D printed guns which

depend heavily on adhesion between layer lines. The bill does not provide any research or insight as to how serialized metal plates would be bonded to the firearm by an FFL, the likelihood of damage to the homemade firearm, or if FFLs are even *willing* or *able* to perform this service, obviously at cost (travel time, fees) to the gunowner who's just trying to not be jailed for possession. There is no compensation for firearms destroyed by attempted serialization at an FFL, who would likely not want to engage in such a modification in the first place. That's assuming the gunowner could afford to serialize **all** their homemade guns, or even **know** to act on this legislation (within the bill's short timeframe) in the first place.

Assuming the bill passes as is, knowingly ignoring the above issues, the bill also completely disregards the cost in time, money, and effort it takes to build and design homemade firearms. It's a one-size-fits-all bill, even though it was claimed to reactionarily target "parts kits" (which in their own right still take time and effort to build). Many other homemade firearms take weeks, even months, to build from blocks of metal, spools of plastic threads. Some technical-minded people have even designed their own guns from scratch in CAD modeling software, which is a very timely process. Sometimes homemade guns go through several iterations or prototypes, it's not always an easy or straight-forward process. Inventors/designers will often create one-of-a-kind designs that bring new life to old parts sitting in a factory warehouse. This is what makes the outright-ban on manufacturing post 1/1/2023 so painful; some of us have dedicated hundreds, if not thousands of hours to homemade firearms; this bill is targeting and destroying a massive part of people's lives, and snuffing out innovation in the firearms market.

One of the most pertinent issues with the bill is going to be how it's enforced. Just this last year there were many calls to reform police authority; would this bill not put another tool in the officer's belt to enforce the law unjustly? Who would be more likely to be targeted by this bill – gunowners below or near the poverty level in over-policed areas, or those with more privilege? Per the below link there are over 18,000 imprisoned in Maryland, many for victimless crimes made-up by overly zealous crime bills (i.e., drug possession, gun possession, etc.):

<https://worldpopulationreview.com/state-rankings/prison-population-by-state>

This is also following a year with record gun ownership, especially among left leaning voters, and women. To make **real** change in our state there needs to be reform in how laws are enforced, like requiring body cameras on police officers, repealing qualified immunity, and sorely needed bills that decriminalize victimless crimes such as drug use; focusing on rehabilitation, especially for the mentally ill, impoverished, and commonly targeted minority communities.

Another issue with the bill is that it contradicts promises members of the Maryland General Assembly made in the past, to focus on rehabilitation over incarceration. Members of the MGA,

specifically in this case the Senate, would not condone such hefty punishments on any other bill. Why is such a heavy punishment necessary (three years and/or a fine of up to \$10,000 **per firearm**)? Why is the punishment so much harsher than it was last year, where the first offense was just a civil one with a simple fine, no jail time? Why are we punishing gunowners for possession of a homemade firearm in the first place, when the gunowner likely already went through a lengthy and invasive licensing process for the HQL (fingerprinting, training, registration), and has multiple registered handguns?

To compound the issue with punishment, why does the punishment pale in comparison to *theft* of a handgun, which is only 30 days? Why would a criminal even consider homemade firearms when he could just steal a gun and *at worst* be in and out of jail a month later? Why are there always rushed attempts to force through some form of this bill, like last year's complete rewrite of SB190? Why not wait for ATF's rulemaking on the Federal level? Why do gunowners get slogged with bills like this one, or the long gun transfer bill that passed last year (which did nothing to address crime)? Please don't let history repeat itself, by punishing possession of a naughty object the state doesn't approve of, instead of actual criminal acts.

To conclude, there are many reasons to not vote favorably on this bill. It will be enforced unfairly and most likely be used as a tool to fill prisons with those who committed victimless crimes; we can only guess at what groups of people will be targeted by this unfair bill. It penalizes gunowners and hobbyists with unnecessary and vindictive burdens when these people are staying clearly well within existing law. And perhaps most dangerous, the bill if passed would just be adding yet another mine to the minefield of laws only meant to entrap gunowners, not criminals.

For these reasons I urge you to vote unfavorably on Senate Bill 387.

A handwritten signature in black ink that reads "Nicholas DeTello". The signature is written in a cursive, slightly slanted style.

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