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SB387 Public Safety – Untraceable Firearms
Unfavorable

I am a defense contractor whose current and prior employers include one of the top research laboratories in the United States and one of the leading aerospace corporations in the world. In my spare time I enjoy shooting sports, 3D printing, and amateur machinist work. Similarly, many of my coworkers share the same passions for designing and engineering work, shooting sports, hunting, and outdoor pursuits. I write in opposition to SB387, a bill that would place undue burden on the owners of existing lawfully made firearms, including those owned for the purpose of self-defense in the home as well as adds contradictions to federal law. Maryland residents have always had the right to make their own firearms since before the founding of this nation. Many of the colonial era gunsmiths who made the very arms with which our nation won independence were little more than men and women in a shed making their own firearm, much like today's firearm enthusiasts making their own firearms. This bill also serves to add yet another opportunity for selective enforcement in a time when police reform has taken front and center stage, all in the idea of an over-hyped threat of home manufactured firearms potentially being used in crimes.

This Bill is Heavy Handed

The proposed bill takes a much more heavy handed approach in comparison to similar bills from the last General Assembly session targeting home manufactured firearms. Last year the proposed bills, SB624 and HB638 allowed current owners to serialize privately made firearms by themselves, adhering to marking requirements similar to federal requirements, and created civil penalties for first-time offenders who failed to mark their firearms. This bill, by contrast, jumps directly to a life-changing criminal penalty of up to three years imprisonment and up to a \$10,000 fine per count. For the average firearms enthusiast, this could mean decades in prison and financial ruin. All for continuing to possess property that was legal yesterday and effectively outlawed the next.

Serial Numbers

The majority of my home manufactured firearms are polymer framed firearms with a metal plate molded into the plate for identification. With the small real estate of these plates I have stamped

unique serial numbers for my own use and for registration with Maryland State Police (in the case of handguns) in case of loss, theft, or an insurance claim in case they are destroyed in a disaster. This bill creates a difficult situation for people like me since in order to comply with this bill as written, I would need to obliterate the existing serial number (a federal felony) and impress a new, different, serial number. People like me are stuck between a rock and a hard place under this bill since I'm faced with the choice of being a criminal by complying with the bill or a criminal by not complying.

This becomes a particularly complicated situation in regards to firearms that fall under the National Firearms Act of 1934 that also has a strict, federal, marking requirement to be carried out by the firearm owner themselves. In the case of these firearms, the Bureau of Alcohol Tobacco Firearms and Explosives (BATFE, or ATF) allows a person to propose a serial number and information (submitted exactly as it will be marked) and once approved simply states the minimum size, depth, etc. In the case of these firearms, the simple act of changing the spacing of letters or adding a hyphen would require an approval of a marking variance from the federal government. Complying with this bill as written would require modifying the markings on such a firearm and, similarly to earlier issues mentioned, give the owner of the firearm the choice of violating state law or federal law. One can comply with one or the other, but not both as this bill is written.

The bill requires an FFL to engrave receivers, but does not compel them to do so.

This bill requires that a firearm be engraved or marked to specific requirements by a Class 07 Federal Firearms Licensee (FFL) regardless of if the firearm was already stamped or engraved previously by the individual who already created the firearm. Yet the bill does not require any FFL to offer these services and those who do choose to offer these services are free to charge any fee they would like, no matter how steep it may be in the captive market this bill creates.

The question of costs and why someone would want to make their own gun

Many firearm makers in the state of Maryland have taken to customizing and making their own firearms. Be it for tailoring to individual needs, making an otherwise out of production firearm where costs of an original copy are a tremendous burden, or simply for the pride and satisfaction of making something with your own two hands and the know-how to work with them. Make no mistake, there is value not only in individual parts, but also in the time and effort that goes into the making of the gun. This bill threatens to deprive Maryland residents of property, not only the value of materials but the value of time invested, sometimes many times over in the case of serious collectors.

Cost arguments aside, I have been a firearm owner for a few years now, the clear message I've received from bills like this is one of disdain and animosity toward those with an interest in owning a firearm for self defense, sport shooting, or hunting. This bill is no different, the bill is arbitrarily picking the origin of a firearm and attempting to deprive Maryland residents of their property with no justification and no compensation for their hard work, time, and materials.

The Do-It-Yourself attitudes that have become prevalent in our culture, be it home gardening, working on your own automobile, or even building a whole house, also exist in the firearm community. Many Maryland residents like to tailor the things they use. In the case of a firearm, that thing is used for anything from self defense, hunting, or competition shooting. If the store doesn't

provide it or charges unreasonably for it, they may wish to make it themselves. Take for instance, the case of me trying to find just the right grips for a handgun I enjoy shooting. I purchased a very nice CZ-75 handgun from a Maryland gun dealer, went through the MD State Police 77R process, but found when shooting that the grips simply didn't fit my hands or grip very well. Due to the company designing the handgun to fit a diverse base of customers, an active aftermarket exists for grip panels fitting this off the shelf gun. In essence, however, it's a guess and test system for what overpriced piece of plastic will fit your hands the best when it's bolted to the grip of the handgun. As I have a fair background in Computer Aided Design (CAD) and 3D printing, I decided to design and print grip panels for this handgun until I arrived on ones that fit my hand and afforded me the best grip, control, and accuracy with that firearm. Commercial grip panels for this firearm are essentially \$50-75 pieces of plastic, imagine having to try three different sets before you find one that fits you.

Lets take another example of why one might want to build their own firearm. In the case of Glock brand handguns, a common complaint is the ergonomics of the grip not fitting most hands very well. One option is to buy the Glock handgun, send it off to a custom gunsmith, wait weeks or even months, and pay in upwards of \$1,000 on top of the purchase price of the gun itself to have a handgun that fits your hand well. Another option is to manufacture your own. In the case of a Polymer 80 handgun frame, the ergonomic enhancements are already there from the factory but you still have to use commercial, off the shelf, Glock brand parts. The frame itself is where you must do the manufacturing yourself. It would be a violation of federal law to manufacture a firearm for another person, after all, so the burden of manufacture is on you, the ultimate owner of the firearm. When all is said and done, a handgun manufactured on a milling machine (often costing upwards of \$10,000 for even a used machine) will cost about \$750. Cheaper than the custom shop option, but still more expensive than an off the shelf Glock costing approximately \$400-500. Once again, the purpose of manufacturing this handgun yourself can be summarized with cost savings, ergonomics, and satisfaction in knowing *you* made the firearm you're depending on.

What does this bill mean to furthering the interest of public safety?

The rationale for this bill is weak, the only people who would comply are those who actively follow developments in Maryland law and have an interest in staying on the right side of the law. Criminals, by definition, do not follow these laws and will continue to ignore them. This law will not hurt criminals, but only those who chose to engineer firearms to meet their specific interests and needs, all while these Maryland residents did painstaking research into state and federal law to ensure they don't violate existing laws.

For these reasons, I must urge you give an unfavorable report to this bill. If it were enacted into law, the State will be prosecuting inevitable violations by otherwise law-abiding citizens of Maryland, destroying reputations and inflicting legal and economic ruin on these individuals, all for continuing to own a firearm that was legal the night before. Jobs will be lost, security clearances revoked, and families broken. Whatever public safety rationale is hollow, as criminals aren't going to invest the time, research, and effort into manufacturing their own firearm when a stolen handgun can be purchased in a back alley of Baltimore. Instead of muzzling the creativity, skill, and curiosity of Maryland residents by taking their property, it would better serve public interest to instead focus on those who have demonstrated a willful disregard for the lives and safety of others, the very people harming innocent people right now.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Steve Johnston". The signature is fluid and cursive, with the first name "Steve" and the last name "Johnston" clearly distinguishable.

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