



BALTIMORE POLICE DEPARTMENT



Brandon M. Scott
Mayor

Michael S. Harrison
Police Commissioner

TO: The Honorable Members of the House Judiciary Committee

FROM: Michelle Wirzberger, Esq., Director of Government Affairs, Baltimore Police Dept.

RE: Senate Bill 387 Public Safety – Untraceable Firearms

DATE: February 16, 2022

POSITION: SUPPORT

Chair Smith, Vice-Chair Waldstreicher, and members of the Committee, please be advised that the Baltimore Police Department **supports** Senate Bill 387.

Senate Bill 387 adds an unfinished frame or receiver to the definition of “firearm” in Maryland code; mandates that a person may not purchase, receive, sell, offer to sell or transfer an unfinished frame or receiver unless it is required by federal law to be, and has been, imprinted with a serial number by a federally licensed firearms manufacturer or importer. The bill also prohibits the possession of a firearm (which will include an unfinished frame or receiver) after January 1, 2023, unless: a) it has been imprinted by a federally licensed firearms manufacturer or federally licensed firearms importer with a serial number; or b) the firearm has been imprinted by a federally licensed firearms dealer or other federal licensee authorized to provide marking services. It also establishes that a violation of the law constitutes a misdemeanor and is subject to imprisonment not exceeding 3 years or a fine not exceeding \$10,000 or both.

An example of an item covered by this bill, is a “Polymer 80” gun which is essentially a gun that is only 80% constructed. These firearms are assembled by a person using acquired parts or a kit that includes one portion of the gun that is unfinished. This requires the purchaser to perform their own drilling or tooling of the gun in order to make it fully functional. One of the most popular ways to make a polymer 80 gun is by buying pre-made parts and purchasing an 80% lower receiver.

In this scenario, a background check would not be completed because they are only conducted on completed lower receivers. People who cannot legally purchase guns because of being convicted of a disqualifying crime, not being of age, being found mentally incompetent, etc., can currently order a polymer 80 over the internet and have it shipped to their residence.

A couple of statistics to note:

- ✓ In 2018 the BPD seized only 12 ghost guns but in 2021 the Department seized 345! That is a **2,775% increase.**
- ✓ The majority of those retrieved in 2021 were recovered as a result of traffic stops, which shows that criminals were transporting them and keeping them close for use.
- ✓ Of the 345 ghost guns seized in 2021, 32 ghost guns were directly linked to a shooting or homicide and 9 homicide victims had a ghost gun in their possession at the time they were murdered.
- ✓ Overall, 52 ghost guns were linked to other incidents through ballistics and 69 of the privately made firearms were directly linked to an act of violence.
- ✓ Nearly one-fourth of all the ghost guns recovered by Baltimore police in 2021 were from individuals who were not old enough to obtain a firearm - including 3 individuals who were 15 years old or younger. These guns were used by those who were not even of legal age to carry a gun.

Overall, the Baltimore Police Department believes that this bill would greatly assist in the prevention of crimes while also providing the Department with additional tools to help solve crimes of violence. Therefore, the Baltimore Police Department respectfully requests a **favorable** report on Senate Bill 387.