

Daniel J. Carlin-Weber
HB590 - Handgun Permit Holders - Authority to Carry Handguns in State Parks and Forests
Favorable
2/23/2022

I am a firearms instructor and advocate of responsible firearms handling and ownership. Currently, I am a Maryland State Police Qualified Handgun Instructor, a Utah Concealed Firearm Permit Instructor, USCCA Concealed Carry and Home Defense Instructor, NRA Range Safety Officer, and Basic Pistol Instructor. Since 2016, I have instructed Marylanders from all walks of life on how to safely operate firearms and the responsibilities that come with them. I come before you today to urge a favorable report of House Bill 590.

House Bill 590 would allow those who've been issued a Wear and Carry Permit under Md. Public Safety Code § 5-306 to carry a handgun within Maryland State Parks and State Forests. Currently, these places are expressly off-limits under the sweeping regulations found in COMAR 08.07.06.04 and 08.07.01.04 (also see Chesapeake Forest Lands) to the lawful carriage of firearms (and many other weapons, including *nunchaku*) except in limited circumstances. Removing these prohibitions to decriminalize Marylanders' abilities to defend themselves in these oftentimes remote locations is in the State's best interest for ensuring public safety and in recognition that people have an individual right to self-defense that doesn't extinguish merely because they're in a State Park or Forest. Maryland will likely find itself reckoning with its many limitations on the carriage of weapons soon, as the US Supreme Court is currently authoring an opinion in *New York State Rifle and Pistol Assoc. v. Bruen*, which is a challenge to New York State's "proper cause" requirement for issuance of a carry permit. It behooves the State to get ahead of the curve.

The carriage of firearms in parks for defensive purposes is not a foreign concept around the United States, nor in our neighboring states. Currently, Virginia, West Virginia, Delaware, and Pennsylvania do not prohibit wholesale the ability of individuals to carry a weapon for defensive purposes in their respective state parks and forests. Likewise, under 54 U.S.C § 104906, Congress prohibited the federal government from prohibiting individuals who can otherwise possess and carry firearms from being able to carry in National Parks:

(b)Protection of Right of Individuals To Bear Arms in System Units.—The Secretary shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, in any System unit if—

- (1) the individual is not otherwise prohibited by law from possessing the firearm; and
- (2) the possession of the firearm is in compliance with the law of the State in which the System unit is located.

Likewise, these federally kept parks and forests are not off-limits with firearms in Maryland to those who have Maryland Wear and Carry Permits. Millions of people across the United States are regularly carrying firearms in parks; it is not an abnormal practice. Maryland law in a very narrow sense does currently allow those who are hunting under the conditions set forth by Md. Natural Resources Article § 10-408 to openly carry a handgun while bow hunting *for personal protection*, but this is only applicable in “Region A” of the State, which is only the three western-most counties and only in that specific circumstance. Hikers, campers, hunters, and anyone else are every bit as entitled to the ability to protect themselves as these hunters are.

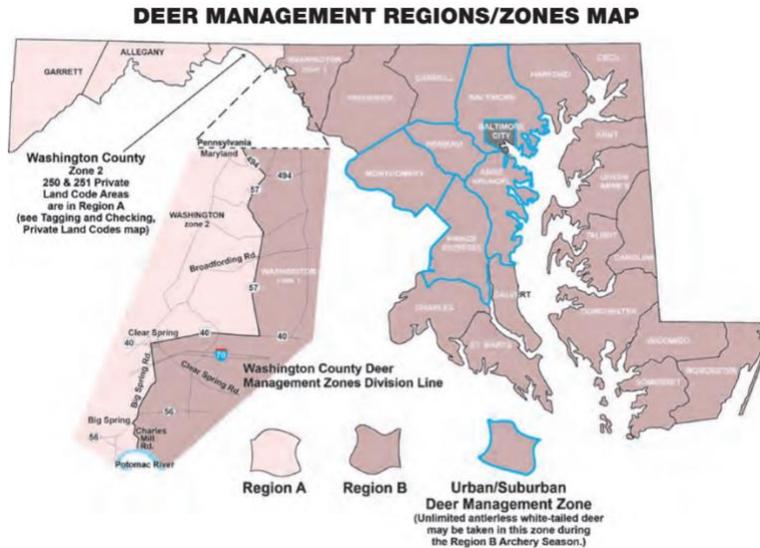


Figure 1 - Map demonstrating the regions of Deer Management within the State. Only the western-most areas in light pink are those where bowhunters may carry a pistol for protection in State Parks. Source: https://www.eregulations.com/assets/docs/guides/2IMDHD_VL

As someone who is permitted to carry firearms by numerous states, I regularly do so while hiking in National Parks and Forests where I'm legally able. As a matter of fact (and very thankfully), the only time I've ever considered that I might need to draw a handgun outside of my home was on a trail in Shenandoah National Park in Virginia. A bear cub sprinted out of the brush and across the trail just in front of me and a friend. Probably frightened and wanting nothing to do with us, the cub quickly ran into deeper brush, but we were left scanning our immediate surroundings and speaking loudly due to the possibility of the cub's mother being somewhere nearby. Mercifully, mom never showed up and the cub was long gone. I didn't even so much as reach for the handgun I carried, but the thought did strike my mind that it's there just in case the worst were to happen. Bear attacks and those from other animals in the mid-Atlantic region, while rare, do happen and people have died because of them.

[https://www.foxnews.com/us/student-snapped-final-photo-before-bear-attack-in-new-jersey.](https://www.foxnews.com/us/student-snapped-final-photo-before-bear-attack-in-new-jersey)

There are other predatory animals in our region as well, especially given the increasing prominence of coyotes in Maryland. <https://baltimore.cbslocal.com/2021/10/26/i-just-want-people-to-know-rabid-coyote-attacks-teenager-in-baltimore-county-warns-others-to-be-cautious/>.

None of this advocacy should be construed as to mean anyone *is looking for a reason* to use their defensively carried firearm – avoidance is always the preferred solution – but when in nature, we can only control so much. People should not be penalized for using reasonable means to protect themselves.

I urge a favorable report.

Daniel J. Carlin-Weber
225 N Calvert St
Baltimore, MD 21202
410-929-1749
dcw@cwdef.com