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Testimony of Kelsey Rogers, Senior Manager, State Policy, Brady
Support for HB 659
Before the Maryland House of Delegates Judiciary Committee
February 23rd, 2022

Chairman Clippinger, Vice Chair Moon, and distinguished members of the Maryland House of Delegates Judiciary Committee,

Founded in 1974, Brady works across Congress, courts, and communities, uniting gun owners and non-gun owners alike to end America's gun violence epidemic. Our organization today carries the name of Jim Brady, who was shot and severely injured in the assassination attempt on President Ronald Reagan. Jim and his wife, Sarah, led the fight to pass federal legislation requiring background checks for gun sales. Brady continues to uphold Jim and Sarah's legacy by uniting Americans across the country in the fight to prevent gun violence.

There are evidence-based policy solutions that we know will help to prevent gun violence in Maryland. The bill before you today, HB 659, will encourage responsible and safe firearm storage practices and save lives by updating Maryland's existing child access prevention law to be more inclusive and ensure that fewer minors can, and do, access firearms. **For these reasons, Brady strongly urges the House Judiciary Committee to pass HB 659.**

Nationwide, almost 4.6 million minors live in homes with unsecured guns.¹ A study published by American Academy of Pediatrics in 2018 found that within a sample of parents who owned guns, only one third stored all household firearms locked and unloaded.² Another study showed that over 70 percent of children reported knowing the storage location of the household firearm, and that 1 in 5 parents who reported that their child had never handled the household firearm were contradicted by their child's

¹ Deborah Azrael, et al, "Firearm Storage in Gun-Ownning Households with Children: Results of a 2015 National Survey," *Journal of Urban Health* 95 (2018), available at www.doi.org/10.1007/s11524-018-0261-7.

² John Scott, Deborah Azrael, and Matthew Miller, "Firearm Storage in Homes With Children With Self-Harm Risk Factors," *American Academy of Pediatrics* (February 2018), <http://pediatrics.aappublications.org/content/early/2018/02/19/peds.2017-2600.info>.

report. As a result, 70-90 percent of firearms used in unintentional shooting, school shootings and suicides by minors are acquired from home, or from the homes of friends or relatives.³

Unintentional shootings involving minors are preventable. Among children, 89 percent of unintentional shooting deaths occur in the home.⁴ Studies show that keeping a gun locked and unloaded is associated with a protective effect against unintentional firearm injuries in homes with children and teenagers.⁵ This finding is bolstered by recent research from 2018 showing that Child Access Prevention laws (“CAP laws”) that require safe storage of firearms are associated with a significant reduction in unintentional pediatric firearm injuries.⁶

Tragically, many school shootings are also facilitated by kids or teens having access to unsecured guns at home. A 2019 U.S. Department of Homeland Security analysis of targeted school violence shows that 76 percent of attackers who used firearms obtained the firearm from their parent’s home or the home of another close relative.⁷ In half of those cases, the evidence indicated that the firearm was either readily accessible or not secured in a meaningful way.⁸

Finally, the rate of firearm suicides among children under the age of 18 has steadily increased over the past decade. Over that time, the number of firearm suicides among minors in the United States has doubled from 361 deaths in 2008 to 725 deaths in 2018.⁹ Moreover, a 2019 study found that in as many as 75 percent of youth firearm suicides for which the gun storage method could be identified, the gun was stored loaded and unlocked.¹⁰ The evidence is clear: Having a firearm easily accessible in the home when a family member is at risk of suicide increases the risk of a deadly outcome should that person attempt suicide. Firearms are the most lethal method used in suicide deaths, with a fatality rate of approximately 90 percent.¹¹ Frequently, the decision to harm oneself is oftentimes made abruptly: A quarter of individuals who attempt suicide make the attempt within 5 minutes of deciding to end their lives.¹² This means that putting barriers in place to prevent easy access to lethal means can delay a suicide attempt in

³ Renee M. Johnson, et al., “Who Are the Owners of Firearms Used in Adolescent Suicides?,” *Suicide and Life-threatening Behavior* 40, no. 6 (2010): 609-611; Guohua Li, et al., “Factors Associated with the Intent of Firearm-related Injuries in Pediatric Trauma Patients,” *Archives of Pediatrics & Adolescent Medicine* 150, no. 11 (1996): 1160-1165; John Woodrow Cox and Steven Rich, “The Gun is Not in the Closet,” *The Washington Post*, Aug. 1, 2018, available at <https://www.washingtonpost.com/news/local/wp/2018/08/01/feature/school-shootings-should-parents-be-charged-for-failing-to-lock-up-guns-used-by-their-kids/>.

⁴ Li, Guohua. “Factors Associated With the Intent of Firearm-Related Injuries in Pediatric Trauma Patients.” *Archives of Pediatrics & Adolescent Medicine* 150, no. 11 (January 1996): 1160. <https://doi.org/10.1001/archpedi.1996.02170360050008>.

⁵ David Grossman et al. “Gun Storage Practices and Risk of Youth Suicide and Unintentional Firearm Injuries,” *JAMA*. 2005 Feb 9;293(6):707-14.

⁶ Emma Hamilton, et al. “Variability of Child Access Prevention Laws and Pediatric Firearm Injuries.” *Journal of Trauma and Acute Care Surgery* 84, no. 4 (April 2018): 613–19.

⁷ “Protecting America’s Schools A U.S. Secret Service Analysis of Targeted School Violence.” United States Secret Service. U.S. Department of Homeland Security United States Secret Service, National Threat Assessment Center, November 2019. <https://www.secretservice.gov/data/protection/ntac/usss-analysis-of-targeted-school-violence.pdf>

⁸ Id.

⁹ National Center for Injury Prevention and Control, US Centers for Disease Control and Prevention. Web-Based Injury Statistics Query & Reporting System (WISQARS) Fatal Injury Reports, National, Regional and States, 1999 to 2018.

¹⁰ The Effects of Child-Access Prevention Laws. (2020, April 22). Retrieved February 02, 2021, from <https://www.rand.org/research/gun-policy/analysis/child-access-prevention.html>

¹¹ Matthew Miller, “The Epidemiology of Case Fatality Rates for Suicide in the Northeast*1.” *Annals of Emergency Medicine* 43, no. 6 (2004): 723–30.

¹² Simon, Olga Von, Alan C. Swann, Kenneth E. Powell, Lloyd B. Potter, M-j Kresnow and Patrick O’Carroll. “Characteristics of impulsive suicide attempts and attempters.” *Suicide & life-threatening behavior* 32 1 Suppl (2001): 49-59.

the event of a crisis, giving someone who is struggling more time to seek help. In fact, research supports that storing firearms locked and unloaded can be an effective measure to reduce the risk of suicide.¹³ Importantly, unsafe firearm storage was found to be least likely among families living in states with both CAP laws and stronger firearm legislation.¹⁴

There is a large body of academic research showing that strong CAP laws are associated with significant reductions in rates of suicide and unintentional firearms deaths and injuries among children and teens.¹⁵ In 2004, the Journal of the American Medical Association published research finding that child access prevention law enactment is associated with a 26 percent annual reduction in self-inflicted firearm injuries among youth and an 8% decrease in *overall* suicide rates among 14-17 year old's, strongly suggesting that when firearms are inaccessible as a result of these laws minors are not substituting firearms with other methods.¹⁶ Research published in 2020 investigating firearm-related deaths among children aged 0-14 has similar findings: Over a 26-year time period, U.S. states with CAP laws regulating the storage of firearms in households with minors had a 13 percent reduction in firearm fatalities in the specified age group when compared to states with no such regulations.¹⁷

As it pertains to the specific bill language being proposed in Maryland, a variety of states, from Colorado to Massachusetts, Nevada to New York, have adopted similar laws, that impose criminal liability where a minor “may” or “is likely to” gain access to a firearm.¹⁸ This standard ensures that it is not necessary for the minor to have actually *used* the firearm or caused injury, thus helping to prevent tragedies before they happen. It is also appropriate that this proposed bill expands the obligation to prevent all *minors* (under the age of 18) from accessing firearms, as the risks associated with access to unsupervised firearms do not simply dissipate when one turns 16. In fact, firearms are used in 44 percent of suicide deaths by 16- and 17-year-olds.¹⁹

Further, this proposed law does not infringe upon an individual’s Second Amendment right to keep and bear arms in the home — rather, firearm ownership comes with a responsibility to ensure that lethal weapons are not readily accessible to minors who either cannot yet responsibly handle firearms themselves or who are at risk of harming themselves or others. Securing firearms in the home is compatible with a firearm owner's ability to protect the home. There is a wide range of firearm storage options available on the market that are affordable and enable the owner of the gun to access it quickly if necessary. Research clearly shows that robust child access prevention and safe storage laws help protect

¹³ Shenassa ED, Rogers ML, Spalding KL, Roberts MB. “Safer Storage of Firearms At Home and Risk of Suicide: A Study of Protective Factors in a Nationally Representative Sample,” *Journal of Epidemiology and Community Health*. 2004; 58(10):841-848.

¹⁴ Prickett, Kate C, et al. “State Firearm Laws, Firearm Ownership, and Safety Practices Among Families of Preschool-Aged Children.” *American Journal of Public Health*, vol. 104, no. 6, June 2014, pp. 1080–1086.

¹⁵ The Effects of Child-Access Prevention Laws. (2020, April 22). Retrieved February 02, 2021, from <https://www.rand.org/research/gun-policy/analysis/child-access-prevention.html>

¹⁶ Daniel Webster, et al. “Association Between Youth-Focused Firearm Laws and Youth Suicides,” *JAMA*. 2004 Aug 4;292(5):594-601.

¹⁷ Azad, Hooman Alexander, Michael C. Monuteaux, Chris A. Rees, Michael Siegel, Rebekah Mannix, Lois K. Lee, Karen M. Sheehan, and Eric W. Fleegler. “Child Access Prevention Firearm Laws and Firearm Fatalities Among Children Aged 0 to 14 Years, 1991-2016.” *JAMA Pediatrics*, February 2020. <https://doi.org/10.1001/jamapediatrics.2019.6227>.

¹⁸ Giffords Law Center, “Child Access Prevention,” <https://giffords.org/lawcenter/gun-laws/policy-areas/child-consumer-safety/child-access-prevention/#:~:text=When%20household%20guns%20are%20not,from%20falling%20into%20young%20hands>.

¹⁹ National Center for Injury Prevention and Control, US Centers for Disease Control and Prevention. Web-Based Injury Statistics Query & Reporting System (WISQARS) Fatal Injury Reports, National, Regional and States, 1999 to 2018.

children and reduce the risk of firearm suicide, and unintentional shootings by kids and teens in homes across America.

Brady strongly encourages the House Judiciary Committee to vote in favor of HB 659, which mandates that all firearms be stored inaccessible to children under the age of 18 and will help to prevent injuries and fatalities among children.