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Jeffrey S. Rubin
Potomac, MD 20854

TESTIMONY ON HB659 –POSITION: FAVORABLE
FIREARM SAFETY – STORAGE REQUIREMENTS AND YOUTH
SUICIDE PREVENTION (JAELYNN’S LAW)

TO: Chair Clippinger, Vice Chair Moon, and members of the Judiciary Committee
FROM: Jeffrey Rubin

My name is Jeffrey Rubin and I am a resident of District 15. I am submitting this testimony in support of HB659, Firearm Safety – Storage Requirements and Youth Suicide Prevention (Jaelynn’s Law).

Better safety measures are necessary to prevent children’s access to firearms. In recent years approximately one hundred children per year have been killed or injured with firearms in Maryland. A significant fraction of these tragedies have resulted from lax firearm storage practices in the home. Addressing this problem would reduce the incidence of teen suicide, death due to the impulsive anger of youth, and equally tragic consequences that occur when children play with loaded weapons.

HB659 is designed to tackle this problem in multiple ways. Current law states that a person “may not store or leave a loaded firearm in a location where the person knew or should have known that an unsupervised child would gain access to the firearm.” Currently, “child” is defined as someone who is less than 16 years old. HB 659 would change that definition to include all youths who are less than 18 years old. This more stringent language is based on the awareness that there is substantial risk for 16 and 17 year olds to seek access to a firearm.

HB659 specifies a three-tiered set of penalties to ensure that the requirement for secure storage of firearms is taken seriously. The failure to follow the standard of safe storage of firearms would result in the least severe punishment, not more than 90 days in prison and/or not more than a \$1000 fine, if the firearm were improperly stored but fortunately did not fall into the hands of a child. If a child did gain access to the firearm, the penalty would be not more than two years in prison and/or not more than a \$2500 fine. If the child gained access to the firearm and that resulted in harm to the minor or another person, then the penalty would be not more than three years in prison and/or not more than a \$5000 fine. This scheme sensibly provides guidelines for punishment that correlate with the consequences of improper storage of the firearm, ranging from the potential to actual failure to prevent access to a child, and finally to a situation in which harm occurred following unsafe firearm storage and the resulting access of a child to the firearm.

HB659 also outlines a detailed plan for the development of a guide to describe how firearms can be safely stored and how to prevent youth suicide. This would be the responsibility of the Deputy Secretary of the Public Health Services with input from a variety of knowledgeable sources and stakeholders, as described in the bill. Likewise, a plan for extensive dissemination of the guide is also outlined in the bill. This public education campaign would serve to ensure that best practices for safe firearm storage in the home would become standard practice. In addition, it would increase public awareness about the risk of suicide in youth and how to deal with it. Together, these measures would reduce the harm that can occur when children gain unsupervised access to firearms.

For all these reasons, I respectfully urge this committee to return a favorable report on HB659.