



February 21, 2023

**Senate Judicial Proceedings Committee,**  
Chairman, William Smith

**Support for SB0656 – Criminal Law - Failure to Properly Store Firearm-  
Death of Another**

Attention Chairman Smith, Vice-Chair Waldstreicher and members of the committee:

I am writing to express my **support for SB0656 – Criminal Law - Failure to Properly Store Firearm- Death of Another**. Simply put, this bill is long overdue and a law that would hopefully go a long way in helping to prevent the senseless deaths of others while working to ensure gun safety is paramount amongst those privileged with the right of gun ownership.

As you've heard from me on several occasions this session, gun safety is a cornerstone of my administration, and I will continue to push for common sense policies that keep the citizens of this great state, and the city that I represent, safe from the harm that can come from irresponsible gun owners and those who obtain these weapons by illegal means.

The hardest part of my job as State's Attorney is hearing the horror stories from the families of those who have had their loved one's life tragically cut short at the hands of someone with a firearm. So you can imagine the unimaginable conversation I had to have with the family of 15-year old Nykayla Strawder whose life was cut short by a nine-year old neighbor. And given the age of the suspect, there were no charges brought forth in pursuit of justice for this family, due to state law that prohibits minors of this age from being charged with such crimes.

But here you have two families torn apart by one tragic and unthinkable action, and as the city's top prosecutor my hands were tied given the limitations placed on me and my office given the current law. And while we eventually brought forth charges against the child's grandmother for not properly securing her legally obtained firearm, I am sure if you ask the Strawder family, a \$1,000 fine – which is the maximum allowable penalty under MD Criminal Law Code §4-404 - would not be the pursuit of justice they envisioned my office taking as we sought a sufficient penalty for the loss of this innocent young child.

As a father of a six-year old little girl, I cannot even begin to imagine the pain and suffering families such as the Strawders' must endure following tragedies such as this. But the current law is a further slap in the face when trying to come to terms with the loss of a loved one.

Increasing this penalty to a felony from that of a misdemeanor, and increasing the fine to \$10,000 while making it a jailable offense with the maximum sentence being that of 10-years, is the least I would ask this body to consider when trying to remedy what we can



all see as a loophole that will leave families struggling with a way to cope with their grief while searching for some form of justice by those responsible for offering just that.

Whether it be those who illegally possess firearms and choose to act recklessly with these instruments of death, those who irresponsibly use their weapons, or individuals who fail to secure their weapon(s) leading to the unthinkable happening at the hands of those who had no business having access to that firearm in the first place; I will continue to be vocal in my pursuit of ending gun violence by any means necessary.

I would urge a favorable vote on this bill, and thank you for considering this legislation on behalf of the loved ones of those who are still searching for answers. I pray for your continued health and well-being, and I appreciate the service you provide to our great state, along with the level of engagement and commitment you provide to our communities on a daily basis.

Sincerely,

A handwritten signature in black ink, appearing to be "I. Bates", written in a cursive style.

Ivan J. Bates, Esq.  
State's Attorney for Baltimore City