

SB 86-Raise the Age Act-UULM-MD-Support-Ken Shilli

Uploaded by: Ashley Egan

Position: FAV



Unitarian Universalist Legislative Ministry of Maryland

Testimony in Support of SB 86 - Rifles and Shotguns -Possession - Age Requirements (Raise the Age Act of 2023)

TO: Senator Will Smith, Jr. Chair and Members of the Judicial Proceedings
Committee
FROM: Ken Shilling, UULM-MD Gun Violence Prevention, Issue Lead,
Unitarian Universalist Legislative Ministry of Maryland.
DATE: February 8, 2023

Unitarians Universalists recognize that there are legitimate reasons for gun ownership. However, there must be a balance of rights and responsibilities.

We support raising the age requirements for possession of rifles or shotguns to age 21. The bill establishes reasonable exceptions with regard appropriate supervision and parental permission.

The measure before you today is another tool to protect all of us from gun violence. We ask you to stand on the side of love and justice. We urge you to vote for this bill and others that strengthen Maryland's gun violence prevention laws.

We urge a favorable report,

Ken Shilling
Ken Shilling
Gun Violence Prevention Lead Advocate

UULM-MD c/o UU Church of Annapolis 333 Dubois Road Annapolis, MD 21401 410-266-8044,

www.uulmmd.org info@uulmmd.org www.facebook.com/uulmmd [www.Twitter.com/uulmmd](https://www.twitter.com/uulmmd)

Giffords Memorandum in Support of SB 86.pdf

Uploaded by: David Pucino

Position: FAV

To: Judicial Proceedings Committee
Date: February 6, 2023
Submitted by: David Pucino
Deputy Chief Counsel
Giffords Law Center to Prevent Gun Violence

TESTIMONY IN SUPPORT OF SB 86

Chair Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings Committee: thank you for the opportunity to testify in support of SB 86, the Raise the Age Act of 2023. This bill would raise the age for the sale, purchase, of possession for all firearms and ammunition to 21. This would make the current rule for handguns (under both state and federal law) and regulated firearms generally applicable to all firearms, while providing important exceptions.

In the field of neuroscience, there is a well-developed literature on cognitive development. This literature shows that the frontal lobes of the brain, which are the part of the brain that exercise impulse control, are among the last cerebral areas to mature.¹

The development of dopamine receptors in the frontal lobes is also delayed until after adolescence—which can bias adolescent behavior toward motivation rather than inhibition.² Motivational responses can diminish effective self-control and lead to risky choices.³

The developing brains of adolescents and young adults may put these young people at higher risk of making risky and dangerous decisions. While the frontal lobes and other higher order association areas mature relatively late, limbic areas are dense with hormone receptors that are awakened during puberty.⁴ These changes in the limbic system can impact self-control, decision making, emotions, and risk-taking behaviors. Of particular concern, changes in the limbic system can heighten aggressive behaviors.⁵ These are all skills and abilities that are critically important to responsible firearm use and ownership.⁶

¹ Elizabeth R. Sowell, et al., "In Vivo Evidence for Post-adolescent Brain Maturation in Frontal and Striatal Regions," *Nature Neuroscience* 2, no. 10 (1999): 859.

² B.J. Casey, "Beyond Simple Models of Self-control to Circuit-based Accounts of Adolescent Behavior," *Annual Review of Psychology* 66 (2015): 301–302.

³ *Id.* at 302.

⁴ Mariam Arain, et al., "Maturation of the Adolescent Brain," *Neuropsychiatric Disease and Treatment* 9 (2013): 450.

⁵ Allan Siegel and Jeff Victoroff, "Understanding Human Aggression: New Insights from Neuroscience," *International Journal of Law and Psychiatry* 32, no. 4 (2009): 210–211.

⁶ See Daniel Webster, et al., "Firearms on College Campuses: Research Evidence and Policy Implications," Johns Hopkins Bloomberg School of Public Health, 2016, <https://www.jhsph.edu/research/centers-and-institutes/johns-hopkins-center-for-gun-policy-and-research/pdfs/GunsOnCampus.pdf>.

In addition, lower impulse control put young people at higher risk for suicide by firearm.⁷ Because impulse regulation and emotional control continues to develop into the mid-20s young people, including adolescents and people under age 21, are at higher risk for suicide than older populations.⁸ Data from the Centers for Disease Control and Prevention shows that suicide attempts that result in death or hospital treatment peak at age 16, but are at the highest rates from age 14 through age 21.⁹

Additionally, suicide risk is often much higher in the early stages of the onset of major psychiatric conditions, and these symptoms usually first develop in adolescence or early adulthood.¹⁰ Most mental illnesses have their onset by age 24, meaning that people under age 21 are at a heightened risk of experiencing psychiatric symptoms for the first time.¹¹ These psychiatric vulnerabilities are exacerbated for young people over age 18 who are leaving home for the first time and experiencing shifts in social connections, reduced structure, and social support.¹²

Maryland law already acknowledges and reflects these realities with respect to handguns and regulated firearms, but the heightened risk to young people of harming self or others applies to all firearm types. Maryland should update its laws to reflect these realities and protect young people. Giffords urges a favorable report on SB 86.

Respectfully Submitted,

David Pucino
Deputy Chief Counsel
Giffords Law Center to Prevent Gun
Violence

ABOUT GIFFORDS

Giffords is a nonprofit organization dedicated to saving lives from gun violence. Founded and led by former Congresswoman Gabrielle Giffords, Giffords inspires the courage of people from all walks of life to make America safer.

⁷ See Johanna Birckmayer and David Hemenway, "Suicide and Firearm Prevalence: are Youth Disproportionately Affected?," *Suicide and Life-Threatening Behavior* 31, no. 3 (2001); Matthew Miller and David Hemenway, "The Relationship between Firearms and Suicide: a Review of the Literature," *Aggression and Violent Behavior* 4, no. 1 (1999).

⁸ Nitin Gogtay, et al., "Dynamic Mapping of Human Cortical Development During Childhood Through Early Adulthood," *Proceedings of the National Academy of Sciences* 101, no. 21 (2004): 8174, 8178.

⁹ Centers for Disease Control and Prevention, Web-based Injury Statistics Query and Reporting System (WISQARS), "Fatal and NonFatal Injury Data," last accessed Feb. 26, 2019, <https://www.cdc.gov/injury/wisqars>.

¹⁰ Merete Nordentoft, Preben Bo Mortensen, and Carsten Bøcker Pedersen, "Absolute Risk of Suicide after First Hospital Contact in Mental Disorder," *Archives of General Psychiatry* 68, no. 10 (2011): 1058, 1060.

¹¹ Ronald C. Kessler, et al., "Lifetime Prevalence and Age-of-onset Distributions of DSM-IV Disorders in the National Comorbidity Survey Replication," *Archives of General Psychiatry* 62, no. 6 (2005): 593, 595.

¹² Carole Hooven, Karen A. Snedker, and Elaine Adams Thompson, "Suicide Risk at Young Adulthood: Continuities and Discontinuities from Adolescence," *Youth & Society* 44, no. 4 (2012).

mcguire_favorable_sb-0086.pdf

Uploaded by: James McGuire

Position: FAV

06 February 2023


James I. McGuire III
3482 Augusta Drive
Ijamsville, MD 21754

FAVORABLE FOR SENATE BILL 0086

Rifles and Shotguns – Possession – Age Requirement
(Raise the Age Act of 2023)

Please leave the body of SB-0086 unmodified. The vote tally will provide an authoritative reference of those legislators who violate their oath of office by endorsing this blatantly unConstitutional and obviously civil-rights-infringing proposal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. I. McGuire III", with a stylized flourish at the end.

James I. McGuire III

Senator Jeff Waldstreicher Testimony - SB 86 - Rai

Uploaded by: Jeff Waldstreicher

Position: FAV

SENATOR JEFF WALDSTREICHER
Legislative District 18
Montgomery County

Vice Chair
Judicial Proceedings Committee

Joint Committee on Federal Relations



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Miller Senate Office Building
11 Bladen Street, Suite 2 East
Annapolis, Maryland 21401
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Jeff.Waldstreicher@senate.state.md.us

The Senate of Maryland ANNAPOLIS, MARYLAND 21401

Testimony of Senator Jeff Waldstreicher **Senate Bill 86 – Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)**

February 7, 2023

Chairman Smith & Members of the Judicial Proceedings Committee:

Between last session and this one, there were a series of mass shootings. They were in very different places in very different circumstances, but they shared one important thing in common.

Let's start with Buffalo, New York, my wife's hometown and a city I love. Now I'm going to depart from the recent protocol here and use the suspect's name. I apologize to the victims and their families, but I pray they know I'm doing it for an important reason. Payton Gendron was his name, and he believed in the conspiracy theory of White genocide. He brought an AR-15, modified to accept 30-round magazines, to a Topps supermarket in a predominantly Black neighborhood. I know exactly where that Topps is. He started streaming on Twitch, screamed the N-word at his victims, and murdered 10 people. All 10 were Black. Payton Gendron purchased the AR-15 legally. *He was 18 years old.*

Next came Uvalde, Texas. That's where Salvador Ramos attended elementary school, middle school, and high school. He was bullied as a child. Later, he had a reputation for live-streaming animal abuse, sending inappropriate text messages to women, and posting Instagram photos of semiautomatic rifles. In May of last year, he returned to his own elementary school. He murdered 19 children, ages 9 to 11. That's the same age as my younger son. He also killed two teachers. Salvador Ramos purchased his Smith & Wesson and Daniel Defense semiautomatic weapons legally. *He was 18 years old.*

Travel with me now to Highland Park, Illinois, outside of Chicago. Chicago is a beautiful city in the summer, but on July 4th last year, Highland Park became a nightmare. Robert Eugene Crimo III had a troubled childhood and gravitated toward neo-fascist memes and mass shooter ideation. He brought an M&P-15 and 30-round magazines to the Independence Day parade and began shooting. He injured 48 people and murdered 7. The dead ranged in age from 8 to 88. Robert Crimo purchased the M&P-15 legally. When his permit was granted, *he was 19 years old.*

3 mass shootings. In 3 months. In our country, just last year. And the common thread, obvious to all. All three murderers obtained their weapons before they were 21 years of age.

Before they could smoke. Before they could drink alcohol. And, importantly, before they could purchase a handgun.

That's right. In Maryland, it is not legal to purchase, possess, or own a handgun until you're 21. But you can purchase a shotgun, long gun, or semi-automatic rifle at that age. That is simply nonsensical. Gun violence in all forms plagues our state, and as many of you know, I've strongly supported increased accountability for illegal guns of all forms, including former Governor Hogan's crime package. But if we're to ensure that Maryland is safe from mass shootings in particular, we must make our long gun statutory framework fully analogous to our handgun statutory framework.

Now that you know what's in the bill, it's important to saw what this bill does NOT do. Under current law, there are clear and enumerated exceptions to the law disallowing hand guns before the age of 21. It allows a person under 21 to go to the range while accompanied, to hunt while accompanied, to participate in marksmanship while accompanied. It allows for a person under 21 to carry as a police officer or member of the armed services. And it allows for self-defense.

Those carve outs are current law. Under Senate Bill 86, those same exceptions carry over line-by-line to long guns. And so this bill does not impact our armed forces or police officers. It does not impact a dad taking his son hunting, a mom taking her daughter to the range, or a coach taking his student to marksmanship competitions. It does not impact the right to self-defense.

Maryland is falling behind on this policy. Seven states—including Republican controlled Florida—already make their handgun and long gun laws analogous. Now is the time for Maryland to do the same, before the next mass shooting is ours.

I respectfully request a favorable report on Senate Bill 86.

Very truly yours,

A handwritten signature in black ink, reading "Jeff Waldstreicher". The signature is fluid and cursive, with the first name "Jeff" being more prominent and the last name "Waldstreicher" written in a continuous script.

Senator Jeff Waldstreicher

SB86 LOS 2023 Leg .docx.pdf

Uploaded by: MD Chesapeake NAPNAP

Position: FAV

Support: SB 86 Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)

2/2/2023

Maryland Senate
Judicial Proceedings
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

Dear Chair, Vice-Chair and Members of the Committee:

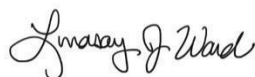
On behalf of the pediatric nurse practitioners (PNPs) and fellow pediatric-focused advanced practice registered nurses (APRNs) of the National Association of Pediatric Nurse Practitioners (NAPNAP) Chesapeake Chapter, I am writing to express our support of **SB 86 Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)**.

Gun violence and its associated physical and mental health consequences are an escalating public health crisis. Each day, 28 U.S. children and teens—the equivalent of a high school classroom—die from gun violence (American Academy of Pediatrics, 2022). This makes it the number 1 killer of children, teens and young people through age 24. Six of the nine deadliest mass shootings in the United States since 2018, were committed by people 21 or younger, a shift from earlier decades when most mass-casualty shooters were men in their mid-20s, 30s or 40s (New York Times, 2022).

For these reasons the Maryland Chesapeake Chapter of NAPNAP extends their support to **SB 86 Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)**.

The pediatric advanced practice nurses of your state are grateful to you for your attention to these crucial issues. The members of Chesapeake Chapter of the National Association of Pediatric Nurse Practitioners are committed to improving the health and advocating for Maryland's pediatric patients. If we can be of any further assistance, or if you have any questions, please do not hesitate to contact Lindsay J. Ward, the Chesapeake Chapter President at 410-507-3642 or lindsayjward@hotmail.com.

Sincerely,



Lindsay J. Ward CRNP, RN, IBCLC, MSN, BSN
Certified Registered Nurse Practitioner- Pediatric Primary Care
International Board-Certified Lactation Consultant
National Association of Pediatric Nurse Practitioners (NAPNAP)
Chesapeake Chapter President



Evgenia Ogordova

Evgenia Ogordova-DNP
National Association of Pediatric Nurse Practitioners (NAPNP)
Chesapeake Chapter Legislative Chair

SB0086 Raise the Age Act of 2023 FWA.pdf

Uploaded by: Cecilia Plante

Position: FWA



TESTIMONY FOR SB0086

Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)

Bill Sponsor: Senator Waldstreicher

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE WITH AMENDMENTS

I am submitting this testimony in favor of SB0086 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Our coalition members were initially enthusiastic about the prospect of raising the minimum age to possess a firearm. Given the number of shootings of young adults and children by young adults and children, it is a necessary step to getting the murder of innocents under control. However, although this bill does prohibit a person under 21 years of age from possessing a rifle or a shotgun, and does prohibit the sale of a firearm to persons under the age of 21, there are so many situations in which that individual could legally be in possession of a firearm.

We would like to see all of the exceptions struck from the bill. It is not enough to have the individual's parents permit them, or even supervise them, or allow it for purposes of self-defense. You could drive a truck through the exceptions.

We more than appreciate the intention of this legislation, but would like to see it strengthened considerably.

The Maryland Legislative Coalition supports this bill and we recommend a **FAVORABLE WITH AMENDMENTS** report in Committee.

Rifles and Shotguns - SB0086.pdf

Uploaded by: Andrew Hobbs

Position: UNF

FROM THE DESK OF

ANDREW HOBBS

February 6, 2023

Judicial Proceedings Committee
Annapolis, MD

Dear Members of the Committee,

I am writing to express my unfavorable position on Rifles and Shotguns - Possession - Age Requirement (Raise the Age Act of 2023). This bill is a direct attempt at both attacking a vulnerable population (those aged 18 to 21), but also an attack on the tradition and heritage of shooting passed down within families.

Stronger sentencing and mandatory sentences to those in violation of existing laws would be a better answer.

Sincerely yours,

Andrew J. Hobbs

Art_Novotny_UNF_SB086.pdf

Uploaded by: Art Novotny

Position: UNF

Testimony of Art Novotny in OPPOSITION to SB086
(Raise the Age Act of 2023)

This bill sends mixed signals to our young adults that are downright insulting. At eighteen, they are old enough to vote, go to jail, own a house, buy Lotto with their own credit card, pay child support, kill and be murdered in war. How are they not old enough to possess rifles and ammunition?

“While performing official duties,” soldiers can be trusted with REAL assault rifles...M-16 machine guns, not these watered down civilian AR-15’s that everyone gets riled up about (not to mention tanks, helicopters and missiles). We trust our lives to their adult judgment while on duty, but if they want to shoot a round of skeet while on leave with their comrades, they are treated as second class children who we don’t trust with shotguns?

I am not an expert at reading legalese like this, however I do not see a provision for dealing with the young adults in Maryland who already legally own rifles, shotguns, and ammunition but are not yet twenty-one years of age.

If the judgement of eighteen to twenty-one year olds in Maryland cannot be trusted to handle rifles, shotguns, and ammunition unsupervised (as they can in the rest of the country), we should not allow them to vote on their own either. I will happily volunteer to help as many eighteen through twenty-one year olds with their voting, for the safety of all of us.

Art Novotny
Aberdeen, MD
35A

sb0086.pdf

Uploaded by: Brenda Scarborough

Position: UNF

SB0086 **OPPOSE**

Good Afternoon Committee Chair, Vice Chair and Committee Members. Thank you for allowing me to testify today.

I am opposed to this bill for many reasons, most of which you have probably already heard here today.

This bill if it became law would in fact be an infringement on the rights of citizens of all ages. It infringes on the rights of free trade by businesses, as well as individuals by prohibiting the sale of legal items to law abiding citizens who intend to engage in lawful activities.

It further infringes on the rights of individuals by prohibiting a service man or woman who has not reached the age of 21 by disallowing them to engage in activities for which they have been trained when not on duty. That means a service person could not engage in recreational hunting or sporting events while on leave but still unable to go home so daddy or granddaddy can go hunting with him or her.

In this state citizens are required to have a hunting license to hunt legally, the requirements for obtaining a hunting license is that the person wishing to obtain the license must take a 12-14 hour hunter safety course as outlined by MD DNR as well as pass a 50-question multiple choice test with a grade of 80 percent, demonstrate to the instructor that he or she can safely handle a firearm in a field situation and participate in live firing. Students must also demonstrate to the instructor that they are responsible and mature.

My point is that there are already laws in Maryland that law abiding citizens follow. This bill if enacted would do nothing to make Maryland safer. Criminals will not care what legislation is in effect. There are already laws that make the misuse of a firearm a felony. Murder is already illegal. This bill only infringes on the rights of law abiding citizens for that reason I urge you to respond with an unfavorable report.

Brenda Scarborough

7117 Olivia Rd.

Baltimore MD 21220

443-621-0494

Brent Amsbaugh SB086 Testimony.pdf

Uploaded by: Brent Amsbaugh

Position: UNF

Brent Amsbaugh

SB086 Written testimony.

First and foremost, I am a father of three daughters under 21. The **right** to self-defense should not be moved to 21. I can see my daughter eventually living on their own and needing the ability to protect themselves. I would argue that the age for purchasing regulated firearms should be moved down to 18 for that very reason.

Time and again the Maryland government and police departments have proven that they either cannot or will not protect us. Why are you taking the **right** of self-defense away from my daughters? Do you want them to be raped, robbed, beaten, kidnapped, or murdered? Why can't you see that criminals do not fear you and that they feared and armed populace?

Senator Waldstreicher seems to not care about that. The majority of the firearms used in crimes are stolen. Defensive use of firearms is quite common. Defensive use of firearms does not always mean that someone was shot, or killed. The mere presence of a firearms can deter an attacker. You should know this.

This bill not only threatens the **right** of my daughters to defend themselves, but it also deters them from engaging in shooting sports. My girls are just now getting into skeet shooting, my wife joined Well-Armed women, and she looks forward to taking them on outings.

This brings up two other points: young mothers, and military members. Maryland has plenty of military members, their spouses, and children living in the state. There are plenty of moms that are under 21 as well. Why are you denying them their **right** to defend themselves, defend others, and engage in their sport and hobbies as they see fit?

This is yet another attempt to criminalize lawful citizens that want to freely engage in constitutionally protected activity. Please vote against this bill, or rescind it.

My2AmendmantRightsLetter.pdf

Uploaded by: Bryan Coleman

Position: UNF

2/6/2023

To Whom It May Concern,

This is my written testimony this February 6, 2023. My name is Bryan Darrick Coleman and I would like to discuss my dissatisfaction on several Gun Bills. These bills are numbered as follows...SB 0001, SB 0086, SB 0113/HB 0259 and SB 0018. These bills should not even be considered, as they infringe upon our Second Amendment Rights! They add fuel to the fire of the criminals in our society, who go unscathed by such laws. They spit in the face of justice and mock us...The Law Abiding Citizens, who exercise the freedoms set forth by our forefathers. How can these laws do anything, but benefit the hoodlum, the murderer, the rapist, the snipers, the Drug Dealers... and such who stain our society with their foul stench! If you remove these Firearms from our hands or limit our movements, as to when and where we can and can't go, Gentleman and Ladies, you leave us naked, you leave us unprotected, you leave all those who would seek the safety of another Law Abiding Citizen in a Danger Zone, one can only imagine the demise of a Knight without his armor, thrust into a battle. Death or serious injury would definitely run rampant and lawlessness would abound at a rate so high, recovery would be a distant thought of coulda shoulda. Not only this situation, but you will strip away the avid Gun Sportsmen from his leisure. The hobbyist and collector would also be ruled out. Do understand that guns don't kill people, it's the criminal element that has been the problem all along. I know that if these laws went into full effect, there would still be Mass Shootings, Rapes, Murders, Drug Dealings and such...and you will have accomplished...NOTHING! No deterrents or declines in these crimes, but an escalation never seen before, gradual or out right forthcoming. What is a country, state or district that arms its criminals, yet takes away firearms from its Law Abiding Citizens? We stand as the Law Abiding Citizens ready to protect ourselves, our brothers and even our country from this disease I call crime. Throw these bills in the trash where they should be! I am thanking all in favor of our Second Amendment Rights in representation today! Thank you for your time and attention.

IN DEO SPERAMUS!

Bryan Darrick Coleman

SB86TestimonyPDF.pdf

Uploaded by: charles Knaggs

Position: UNF

Charles Knaggs
35296 Golf Course Drive
Mechanicsville, MD 20659
c-knaggs@hotmail.com
301-643-3285

Senate Bill 86
Position: OPOSE

This bill would destroy the time honored Maryland tradition of hunting and competitive shooting for otherwise Federally legal firearm owners. There is no evidence the state of Maryland can present to show that the legal possession age of firearms needs to be raised to 21 inspire of Federal requirements being 18. Youth recruitment into the shooting sports is essential for the survival of our hunting and competitive shooting traditions. By raising the minimum age to 21 the state of Maryland is removing the opportunity for parents or relatives to be involved in such activities with youth. Most young adults at 21 are heading off to college or pursuing careers and have left their parents residence and even the state their parents and extended family reside in. With an ever increasing need for parents to be engaged with their children in constructive activities this bill would eliminate the very thing our society needs. It is proven that youth involved in sports are less likely to join gangs, do drugs, or drop out of school. These are all positive things for our youth and we need to encourage them in all sporting events even and especially those that involve firearms. It is during these sporting events, firearm safety is taught and required, leading to a life long knowledge of firearms and proper safety protocol associated with them.

Please do not take this opportunity away from Maryland families and withdraw Senate Bill 86

Thank you,



Charles Knaggs

WatkinsOpposeSB086.pdf

Uploaded by: Charles Watkins

Position: UNF

335 Silky Oak Ct
Linthicum Hts, MD 21090
February 6, 2023

Re: Opposition to Senate Bill 86 (Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023))

To: Senators Waldstreicher and Lee

As a US military veteran, I **oppose** Senate Bill 86 (Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)).

Men and women who are younger than the age of 21 can join the US Military, be issued various rifles and shotguns, and risk their lives on the battlefields. I joined the US Military when I was under the age of 21 and was issued rifles for various exercises while stationed in Guantanamo Bay, Cuba. However, this bill would preclude men and women of the same age (younger than the age of 21) not be able to possess a rifle or shotgun. This is not reasonable.

I request the Committee take no further action and abandon this senate bill.

Sincerely,

Charles Watkins

dr.watkins@yahoo.com

Oppose SB 86 - Rifles and Shotguns – Possession –

Uploaded by: Colby Ferguson

Position: UNF



Maryland Farm Bureau, Inc.

3358 Davidsonville Road • Davidsonville, MD 21035 • (410) 922-3426

February 7, 2023

To: Senate Judicial Proceedings Committee

From: Maryland Farm Bureau, Inc.

Re: **Oppose SB 86 – Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)**

On behalf of our Farm Bureau member families in Maryland, I submit this written testimony in opposition of SB 86. This bill would increase minimum age for the sale and ownership of a rifle or shotgun to 21 years old. There are areas of exemption for a minor to possess a rifle or shotgun, but they won't be able to purchase and own one until 21. One that violates this law would be convicted of a misdemeanor and subject to a maximum of 5 years or a fine not to exceed \$10,000 or both.

In the rural communities, many families enjoy the ability to hunt on their property and provide their children with the opportunity to responsibly own and use a rifle or shotgun. This bill would make law-abiding citizens and families criminals if they continued these long-time traditions. This bill would limit responsible young adults from being allowed to hunt with their own gun even though they are allowed (and required) to purchase a hunting license to hunt at the age of 17. Making criminals out of law-abiding citizens is not the answer to trying to reduce violent crimes in Maryland.

MDFB Policy: We oppose any legislation that would further restrict the purchase and ownership by law-abiding citizens of firearms, handgun, long arm, autoloader, or manual loader.

MARYLAND FARM BUREAU RESPECTFULLY OPPOSES SB 86

Colby Ferguson
Director of Government Relations

For more information contact Colby Ferguson at (240) 578-0396

SB86 Opposition Letter.pdf

Uploaded by: D.J. Spiker

Position: UNF



NRA

February 7, 2023

Chairman William C. Smith Jr.

90 State Circle

Annapolis, Maryland, 21401

Dear Chairman Smith:

On behalf of our members in Maryland, I would like to communicate our strong opposition to Senate Bill SB86.

Federal law already prohibits those 18-to-20 years of age from purchasing handguns from a Federal Firearms Licensee (FFL or gun dealer). Extending this prohibition to rifles and shotgun would not reduce violent crime, but would extinguish law-abiding young adults' Second Amendment rights.

Rifle and Shotgun Restrictions Do Not Work

Long guns of any description are rarely used in violent crime by people of any age. FBI Uniform Crime Reporting breaks down homicides by weapon. In 2019, the FBI reported that there were four times as many individuals listed as killed with "knives or cutting instruments," than with rifles of any kind. The data also showed that rifles were listed as being used in less homicides than "blunt objects (clubs, hammers, etc.)" or "personal weapons (hands, fists, feet, etc.)."

The use of shotguns in violent crime is even rarer. In 2019, more than 12 times as many people were killed using "knives or cutting instrument," "blunt objects," and "personal weapons" combined than with any type of shotgun.¹

In 1994, a 10-year federal ban on commonly-owned semi-automatic long guns was enacted as part of the Clinton Crime Bill. Faced with the reality that so-called "assault weapons," are rarely used to commit violent crime, a 1997 Department of Justice-funded study of the Clinton ban determined that "At best, the assault weapons ban can have only a limited effect on total gun murders, because the banned weapons and magazines were never involved in more than a modest fraction of all gun murders."²

A 2004 follow-up Department of Justice-funded study came to a similar conclusion. The study determined that "AWs [assault weapons]... were used in only a minority of gun crimes prior to the 1994 federal ban," and "the ban's effects on gun violence are likely to be small at best and perhaps too small for reliable measurement."³ Presented with the overwhelming evidence of the ban's inefficacy, Congress did not renew it.

¹ Crime in the United States 2019, Expanded Homicide Data Table 8, Federal Bureau of Investigation.

² Jeffrey A. Roth, Christopher S. Koper, Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994, Urban Institute, March 13, 1997.

³ Christopher S. Koper, An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003, Report to the National Institute of Justice, June 2004.



NRA

Any prohibition on access to rifles and shotguns by law-abiding young adults will necessarily be ineffective for the same reasons the Clinton gun ban failed: Rifles and shotguns are rarely used to commit violent crime.

Retail Sales Restrictions on Young Adults Won't Reduce Crime

Sales restrictions don't stop criminals from stealing firearms, getting them on the black market, or getting them from straw purchasers. According to the Department of Justice (DOJ), 75 percent of criminals in state and federal state prison who had possessed a firearm during their offense acquired the firearm through theft, "Off the street/underground market," or "from a family member or friend, or as a gift." Only 10 percent of criminals acquired the firearm from a retail source.⁴

Studying the existing 18-to-20-year-old handgun sales prohibition, research published in the American Journal of Criminal Justice found that there "was no impact of this ban on the 18-to-20-year-old share of arrests for homicide, robbery, or aggravated assault."⁵

Young Adults Have Second Amendment Rights

The Second Amendment's text guarantees young adults the right to keep and bear arms. The text contains no age restriction, even though the Founders used age restrictions elsewhere in the Constitution.⁶

The Second Amendment's text expressly protects the right of "the people." The people referenced in the text encompass all law-abiding, responsible adults, including young adults. On this point, the First and Fourth Amendments are instructive. Like the Second Amendment, both codify "the people" as the rightsholders. "The people" protected by the Second Amendment are not a subset of "the people" protected by the First and Fourth Amendments. They are the same people.⁷

The landmark *District of Columbia v. Heller* (2008) U.S. Supreme Court decision did not suggest that young adults are excluded from "the people" protected by the Second Amendment. To the contrary, *Heller* confirms that the Second Amendment protects the same "people" as the First and Fourth Amendments, which do not exclude young adults from their protections.⁸

In *NYSRPA v. Bruen* (2022), SCOTUS made clear that in order for a firearm regulation to pass muster under the Second Amendment the government must "identify a well-established and representative historical analogue." Regarding prohibitions on young adults purchasing firearms, this cannot be done. There were no laws that restricted 18-20 year-olds from purchasing firearms at the time of the American founding.

⁴ Mariel Alper and Lauren Glaze, *Source and Use of Firearms Involved in Crimes: Survey of Prison Inmates*, 2016, U.S. Department of Justice Bureau of Justice Statistics, January 2019.

⁵ Gary Kleck, *Regulating Guns Among Young Adults*, *Am. J. of Crim. Just.* 44:689, 2019.

⁶ Const. art. I, § 2.

⁷ *District of Columbia v. Heller*, 554 U.S. 570, 580.

⁸ *Id.*

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

At the time of the Founding, there were no regulations restricting young adults' ability to possess or purchase firearms. Then, as now, the age of majority for keeping and bearing arms was 18. The age at which individuals became eligible for militia service at the time of the Founding demonstrates the age of majority for the right to keep and bear arms because, as the *Heller* decision made clear, "the people, from whom the militia must be taken, shall have the right to keep and bear arms."⁹ At the time of the Founding, 18-to-20-year-olds were permitted—indeed required—to be part of the militia and to arm themselves.¹⁰

Only 7 states restrict the purchase of long guns by 18-20 year-olds: CA, FL, HI, IL, NY, VT & WA. Litigation is on-going on these bans.

Making further state action unnecessary, the federal government has instituted a 3-10 day federal waiting period for 18-20-year-olds purchasing firearms. During this period, the FBI is tasked with conducting a so-called "enhanced" background check on the prospective purchaser. This includes an examination of state juvenile records and contacting local law enforcement in the jurisdiction in which the purchaser resides.

Young Adults Deserve the Rights Attendant Their Responsibilities

The age of majority remains 18 today for militia and other purposes. All males over the age of 17 and under the age of 45 are part of the militia.¹¹ At age 18, citizens are eligible to serve in the military, be drafted, and vote.¹²¹³¹⁴ 83% of United States Marine Corps enlistees are 20 or younger.¹⁵

An 18-to-20-year-old may be tried as an adult for crimes in state and federal courts.¹⁶¹⁷ Young adults may serve in law enforcement.¹⁸ Moreover, these adults may generally serve on a jury, enter into contracts, sue and be sued, get married, own property, and obtain an abortion without parental consent.

To prohibit young adults from acquiring rifles and shotguns would be to contend that these individuals are law-abiding and responsible enough to defend their country using arms and to enforce the law but cannot be trusted to follow the law.

For the foregoing reasons NRA opposes Senate Bill 86.

⁹ *Heller* at 617.

¹⁰ *Hirschfeld v. Bureau of Alcohol, Firearms, Tobacco & Explosives*, No. 19-2250, 2021 WL 2934468 at *16.

¹¹ 10 U.S.C. § 246.

¹² 10 U.S.C. § 505(a).

¹³ 50 U.S.C. § 3803(a).

¹⁴ U.S. Const. amend. XXVI.

¹⁵ Eric Reid, *The Courage to Change: Modernizing U.S. Marine Corps Human Capital Investment and Retention*, Brookings, June 2021.

¹⁶ Age Matrix, Interstate Commission for Juveniles, January 20, 2022.

¹⁷ 18 U.S. Code § 5031.

¹⁸ Fla. Stat. § 943.13.

NATIONAL RIFLE ASSOCIATION OF AMERICA

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

Sincerely,

A handwritten signature in black ink, appearing to read "D.J. Spiker".

D.J. Spiker
Maryland State Director
NRA-ILA

CC: Senator Jeff Waldstreicher
Senator Jill P. Carter
Senator William G. Folden
Senator Mary-Dulany James
Senator Mike McKay
Senator C. Anthony Muse
Senator Charles E. Sydnor III
Senator Chris West

SB 086 Guns under 21.pdf

Uploaded by: Dana Schulze

Position: UNF

SB 086

I oppose SB 086 as an infringement upon my 2nd Amendment rights to bear arms.

Stop chipping away at our freedoms and rights enshrined in the US Constitution. As a USAF combat veteran, I fought and my friends died to support and defend the US Constitution. Most American families have been responsible gun owners for the majority of our history. Young Americans are well known to provide food for their families and protect their families from enemies both foreign and domestic.

Our country was founded by young people. It is the youth upon which we lean for our military strength. Do not strip them of their freedoms and rights.

SB0086.pdf

Uploaded by: Derek West

Position: UNF

SB006 Raise the Age Act of 2023

Unfavorable report

Adults are of age at 18. This bill seeks to raise the age of adulthood when a person can exercise their constitutional rights. If you can vote at 18, then you can own a gun at 18.

Written Testimony.pdf

Uploaded by: Douglass Palmer

Position: UNF

Written Testimony:

Douglass R Palmer
14001 Molly Berry Road
Brandywine, MD 20613
814-207-6052

Date: February 6, 2023

I am writing in regards to the follow bills and would like to make the following statements on each as noted:

SB001:

I am in opposition of this bill in its entirety. I would like to believe that the Maryland Legislature is making policy based on sound evidence and facts. The limiting and restricting of possession of firearms by permitted carriers is not based on either. Unless one is very meticulous cherry-picking studies performed on the subject there is no basis in facts to limit law abiding citizen from defending themselves outside their homes. The criminal rate of wear and carry permit holders is one of the lowest rates among any groups of people nationwide. The crime **rate** of gun permit holders is lower than that of off duty police officers. There is no data that even suggest that restrictions on permit holders will affect crime rates. The reality is that the states that have the most restrictive gun laws also have the highest violent crime rates. Despite Maryland having some the most stringent gun laws in the nation and, up until July of 2022, an almost impossible means to get a wear can carry permit we still have some of the highest gun violence in the nation. Baltimore is either first or second in the nation in gun violence currently. There is no correlation or connection between lower rates of gun violence and increase restrictions on a person's ability to legally wear and carry a firearm for personal protection. The overwhelming majority of locations that gun violence and mass shooting take place are in areas that either guns are entirely prohibited or that the laws make having a gun so burdensome that no one, except those committing crimes, have them. The statical reality is, the more "gun free" zones there are, the more targets murderous lunatics have to commit atrocities. And they do exactly that, they attack the area that are gun free because they are coward and know that they will not be stopped until they have killed as many as possible. The SCOTUS ruling clearly denotes that one has a right to protect themselves outside of their homes. Its sad time in this country when it takes a SCOTUS ruling to affirm that right, but it did. I hope that this legislative session also affirms that constitutional right, instead of choosing to act out of ignorance and emotion.

SB0086:

I am in opposition of this bill in its entirety. The constitution grants **all** full right of citizens at the age of 18. Owning a firearm and purchasing the ammunition for the firearm is a constitutional right. Unless we decide to change the legal age of adulthood, we should not be taking away constitutional rights from 18-20 year old citizens. If a person is legally an mentally able to choose their leadership (able to vote), they are also legal and mentally able to exercise the right of owning a firearm.

SB0113:

I am in opposition of this bill in its entirety. We need to hold the people who commit a crime responsible for their actions. We don't blame a car manufacture when someone purposely uses a vehicle to harm or kill someone, but we are somehow we are trying to justify doing exactly that with firearm producers. This law is a subjective law that will allow people to go after third parties who are not a party to a crime in an effort to make purchasing a firearm more difficult. Anyone trying to sell this bill as anything other than an end run around the Constitution and federal law is not be intellectually honest with themselves or others.

SB0159:

I believe this bill as written could be abused. If it is solely construction to be **entirely voluntary** and would requiring an affidavit, then I might support the bill. My fear is that the law enforcement would use this as a tool in criminal plea bargaining. I would hope that the process to restore a persons right after they have voluntary surrendered it is clear and unburdening.

HB0364:

I fully support this bill. Half of the state in the country are now constitutional carry states. The first state became so in 2003. We now have two decades of crime data on the impact of removing the requirement of permits to carry a firearm for your personal protection. Clearly, there is no correlation between the increasing or decreasing of legal firearms possession and crime rates. There have been multiple studies conducted and the best that can be said is that there was no impact on crime rates by making it legal to carry firearm without a permit. There are multiple studies that have inferred that it may actually reduce the crime rates in certain states.

HB0413:

I support this bill. There is no factual or evidentiary basis for denying a legal cannabis user the ability to purchase a firearm. There is absolutely no evidence that a legal cannabis user is more prone to commit violent crime than any other group of people. Denying someone their constitutional right solely based on an arbitrary guideline that is not basis in fact or evidence is wrong.

HB0481:

I am in opposition of this bill in its entirety. I think that any prison sentence upon people that are constitutionally entire to ware and carry a firearm for personal protection is a travesty. Increasing the already overly punitive sentencing is idiotic at best.

press release SB0056.pdf

Uploaded by: Evan Avnet

Position: UNF

Response to SB0086

Monday, February 6, 2023

Evan Avnet

Tactical American Security Consulting, LLC (USTASC)

2029 Northwood Drive,

Salisbury, MD 21801

I am against bill SB0086 to raise the age of possession of a rifle or shot gun to 21 years of age from 18 years of age.

This bill completely disallows for persons ages 18-21 to carry rifles and shotguns for hunting purposes which completely eliminates areas that are not "city" to hunt game. The Eastern Shore of Maryland, along with the majority of other counties in Maryland, use hunting as a bonding experience with friends and family along with providing meat to their families for sustenance. The government has no right to limit the age over 18 so a person can hunt for their food. If a person is old enough to go to war then the person should have the right to hunt for their food.

Evan Avnet

SB 0086.pdf

Uploaded by: Galen Muhammad

Position: UNF

SB 0086

While I am providing testimony on my own behalf, I am the president of Onyx Sharpshooters, the Prince George's County chapter of the National African American Gun Association (NAAGA). I am also the State Director for Maryland and Washington, DC for said national organization.

First and foremost, this bill is unconstitutional. It goes completely against the spirit and intended practice of the 2nd Amendment.

This bill seeks to prohibit 18 – 21 year olds from buying rifles and ammunition for rifles, but doesn't consider that these same 18 – 21 year olds may join the military, learn to fight, shoot, kill and die for the country using much more powerful rifles and ammunition. But the state wants to prevent them from shooting at targets and hunting.

Some of these 18 – 21 year olds have been shooting before they were teens. The state allegedly wants to make sure that they do not use these firearms for nefarious reasons. This despite that we don't even have this age group involved in mass shootings at all in Maryland.

Lawmakers were elected to make laws and govern based upon the facts, not feelings or emotions. While you are free to act upon feelings and emotions in your own personal lives, these feelings and emotions **should not** determine how you view the facts of this situation.

Ian Rus Maxwell SB86 Testimony MGA 2023.pdf

Uploaded by: Ian Rus Maxwell

Position: UNF

SB 86 - Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)

I am writing to oppose, and urge an unfavorable report on, SB86.

I have a daughter who is 18. With two of her high-school aged friends, she ran a summer camp for young children. She and her two friends were in charge of roughly 20 children for 10 hours a day, M-F, for three weeks. All went extremely well and they've never had to advertise because word-of-mouth and the number of return customers. The proposed law insists that these three young woman who were responsible enough to be the unsupervised care-givers for a group of roughly 20 children are somehow not responsible enough to decide if they want to purchase (or rent or borrow) a rifle or a shotgun by themselves. Really, firearms require more maturity and capability to handle than 20 children? That's a premise that should become law?

In regard to the permissions provision of SB86, my son has a friend whose parents, unfortunately, passed away some years ago. My son's friend is 20. As he is not a minor (being passed 18 and all) with no legal guardians (he is an adult) whom would he seek permission from should he want to buy (or rent or borrow) a rifle or a shotgun in Maryland? Or will he just be out of luck if the proposed law is passed?

Sincerely,

Ian Rus Maxwell

18307 Crestmount Road

Boyd's MD 20841

ianrus.maxwell@gmail.com

301.325.7152

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Uploaded by: Jason du Pont

Position: UNF

February 6th, 2023

Dear members of the Maryland General Assembly

I am writing to inform you that I OPPOSE the following bills;

- SB0001 (Gun Safety Act of 2023)
- SB0086 (Raise the Age Act of 2023)
- SB0013 (Gun Industry Accountability Act of (2023)

These bills violate the 2nd Amendment rights of Maryland citizens based on the ruling in the US Supreme Court of NY VS BRUEN. In regards to SB0001, individuals carrying firearms that have been issued permits, CANNOT be restricted by "sensitive areas", based on the recent New Jersey's Judge's ruling in the KENDRICK VS PLATKIN case.

I am a MD Wear-and-Carry permit holder. I have submitted to photos, fingerprints, state and federal background checks, provided references and completed the required training. I have also paid hundreds of dollars in fees related to the process mentioned above. I have also spent thousands on a new firearm, holsters, ammunition and additional training to become proficient to safely carry a firearm.

SB0001 will render my permit to carry useless, and will have WRONGFULLY taxed me of money under false pretenses. I have been vetted by the aforementioned process and paid my money, and have no recourse for a refund.

The 2nd Amendment shall not be infringed!

Sincerely,

Jason du Pont
13419 Blenfield Rd
Phoenix,

02-07-2023_Attachments.pdf

Uploaded by: John Josselyn

Position: UNF

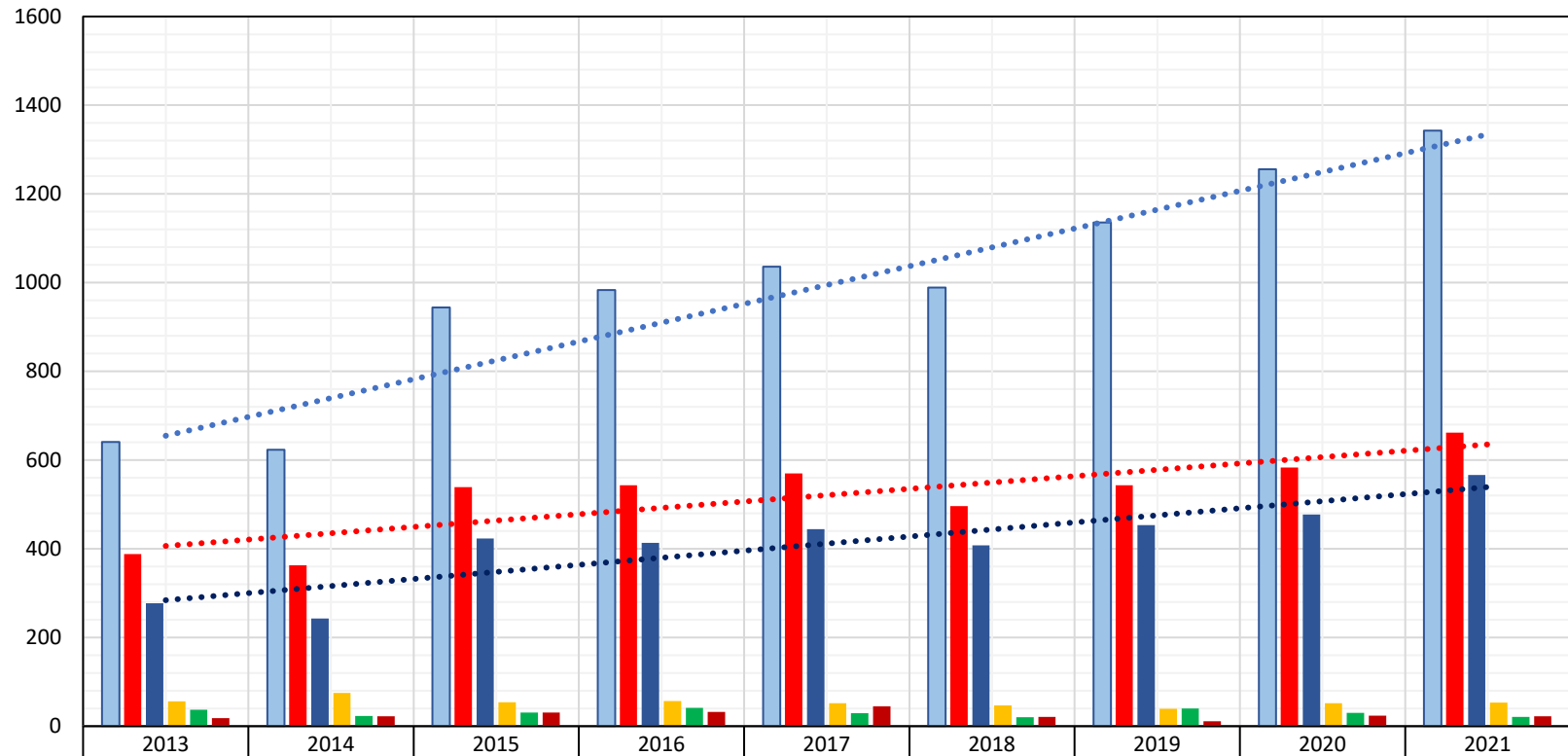
2A Maryland - Maryland Gun Laws 1988-2022

Session	Bill Number	Bill Title
1988	HB1131	Handguns - Prohibition of Manufacture and Sale (Saturday Night Special Ban)
1989	SB0531	Firearms - Assault Weapons
1992	SB0043	Firearms - Access by Minors
1993	SB0330	Gun Shows - Sale, Trade or Transfer of Regulated Firearms
1994	HB0595?	Storehouse Breaking - Penalty
1994	SB0619	Assault Pistol Ban
1996	HB0297	Maryland Gun Violence Act of 1996
1996	HB1254	Education - Expulsion for Bringing a Firearm onto School Property
1999	HB0907	School Safety Act of 1999
2000	SB0211	Responsible Gun Safety Act of 2000
2001	HB0305	Bulletproof Body Armor - Prohibitions
2002	HB1272	Criminal Justice Information System - Criminal History Records Check
2009	HB0296	Family Law - Protective Orders - Surrender of Firearms
2009	HB0302	Family Law - Temporary Protective Orders - Surrender of Firearms
2011	HB0241	Criminal Law - Restrictions Against Use and Possession of Firearms
2011	HB0519	Firearms - Violation of Specified Prohibitions - Ammunition and Penalty
2012	HB0209	Public Safety - Possession of Firearms - Crimes Committed in Other States
2012	HB0618	Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms
2013	SB0281	Firearms Safety Act of 2013
2018	HB1029	Criminal Law - Wearing, Carrying or Transporting Loaded Handgun - Subsequent Offender
2018	HB1302	Public Safety - Extreme Risk Protective Orders
2018	HB1646	Criminal Procedure - Firearms Transfer
2018	SB0707	Criminal Law - Firearm Crimes - Rapid Fire Trigger Activators
2019	SB0346	Public Safety - Regulated Firearms - Prohibition of Loans
2020	HB1629	Office of the Attorney General - Firearm Crime, Injuries, Fatalities, and Crime Firearms - Study
2021	HB1186	Office of the Attorney General - Firearm Crime, Injuries, Fatalities, and Crime Firearms - Study Extension
2022	HB0425	Public Safety - Untraceable Firearms (SB0387)
2022	HB1021	Public Safety – Licensed Firearms Dealers – Security Requirements

2A Maryland

Maryland Homicides, Non-fatal Shootings & Trends 2013-2021

Data Source: Maryland Coordination & Analysis Center (MCAC)



Non-fatal shooting	641	623	944	983	1036	989	1136	1256	1343
Total Homicides	388	363	539	543	570	496	543	583	662
Fatal Shooting	277	243	423	413	444	408	453	477	566
Stabbing	56	75	54	57	52	47	39	52	53
Assault	37	23	31	41	29	20	40	30	21
Other	18	22	31	32	45	21	11	24	22

■ Non-fatal shooting ■ Total Homicides ■ Fatal Shooting
■ Stabbing ■ Assault ■ Other
⋯ Linear (Non-fatal shooting) ⋯ Linear (Total Homicides) ⋯ Linear (Fatal Shooting)

2A MARYLAND
Homicide Victim / Offender Demographics
Data Source: Maryland UCR 2011-2020

Victim - Race	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
White	68	68	69	71	96	85	102	75	88	97
Black	322	301	318	283	449	446	457	402	451	472
Asian	5	3	0	5	4	2	9	5	3	3
American Indian	0	0	0	2	0	0	0	1	0	1
Unknown	3	0	0	2	4	1	1	6	1	0
Total	398	372	387	363	553	534	569	489	543	573
Per Capita Rate	6.8	6.3	6.5	6.1	9.2	8.9	9.4	8.1	9.0	9.5

Victim - Race	2011-2020 Total	Yearly Avg - 10 Years	Ratio to White
White	819	82	1.00
Black	3901	390	4.76
Asian	39	4	0.05
American Indian	4	0	0.00
Unknown	18	2	0.02
Total	4781	478	
Per Capita Rate		7.98	

Offender - Race	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
White	65	44	50	74	85	64	79	58	71	56
Black	258	271	260	186	242	190	305	266	268	310
Asian	1	0	2	2	2	6	2	2	1	2
American Indian	0	0	0	0	0	0	0	1	0	3
Unknown	164	159	158	159	321	339	288	224	285	282
Total	488	474	470	421	650	599	674	551	625	653

Offender - Race	2011-2020 Total	Yearly Average - 10 Years	Ratio to White
White	646	65	1.00
Black	2556	256	3.96
Asian	20	2	0.03
American Indian	4	0	0.01
Unknown	2379	238	3.68
Total	5605	561	

Victim Age Range	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Under 18	32	21	26	30	43	27	43	27	29	30
18-21	57	65	65	40	69	81	64	52	79	89
22-29	130	104	115	110	184	179	194	157	172	165
30 and over	179	182	181	183	257	244	266	251	262	290
Unknown	0	0	0	0	0	3	2	2	2	1

Victim Age Range	2011-2020 Total	Yearly Average - 10 Years
Under 18	308	31
18-21	661	66
22-29	1510	151
30 and over	2295	230
Unknown	10	1

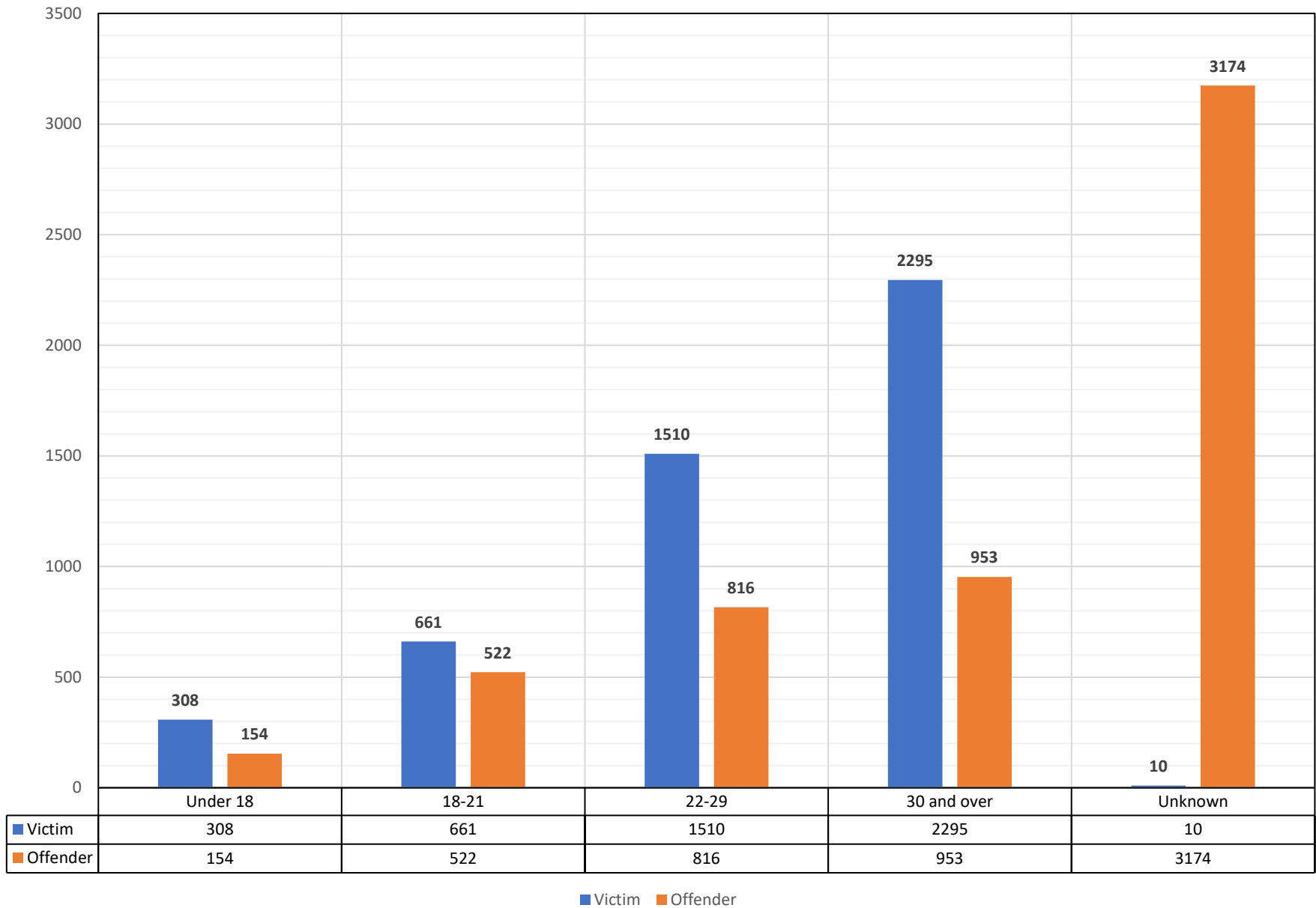
Offender Age Range	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Under 18	12	15	10	16	16	16	17	20	14	18
18-21	56	57	57	38	53	55	64	41	48	53
22-29	81	70	69	76	100	90	102	64	81	83
30 and over	99	72	83	97	103	91	107	99	91	111
Unknown	240	260	251	194	378	347	384	327	394	399

Offender Age Range	2011-2020 Total	Yearly Average - 10 Years
Under 18	154	15
18-21	522	52
22-29	816	82
30 and over	953	95
Unknown	3174	317

Population	Percent
White	55.54%
Black	29.89%
Asian	6.28%
American Indian	0.28%

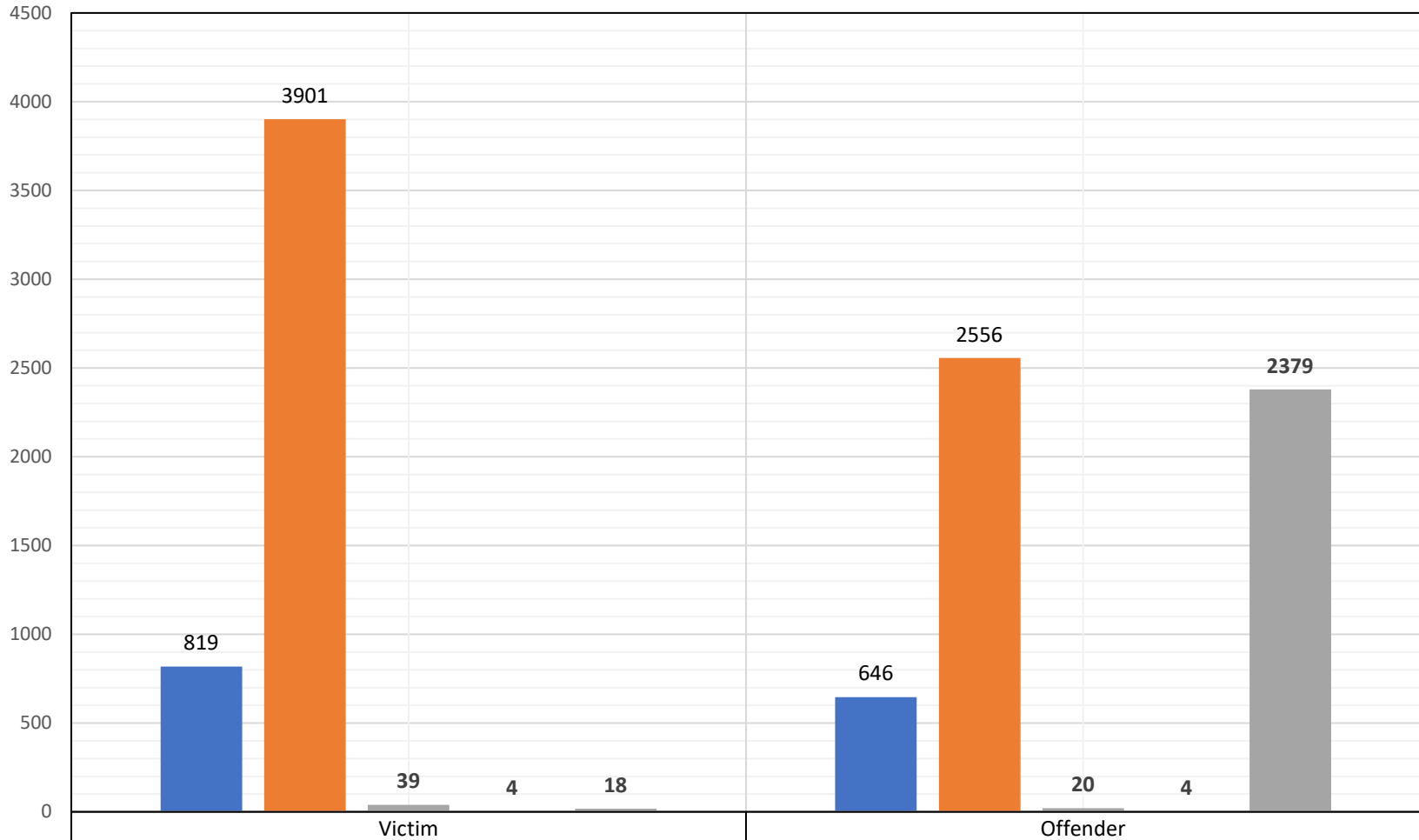
2A Maryland

Homicide - Victims & Offenders by Age - Source: MSP Uniform Crime Reports 2011-2020



2A Maryland

Homicide - Victims & Offenders by Race - Source: MSP Uniform Crime Reports 2011-2020

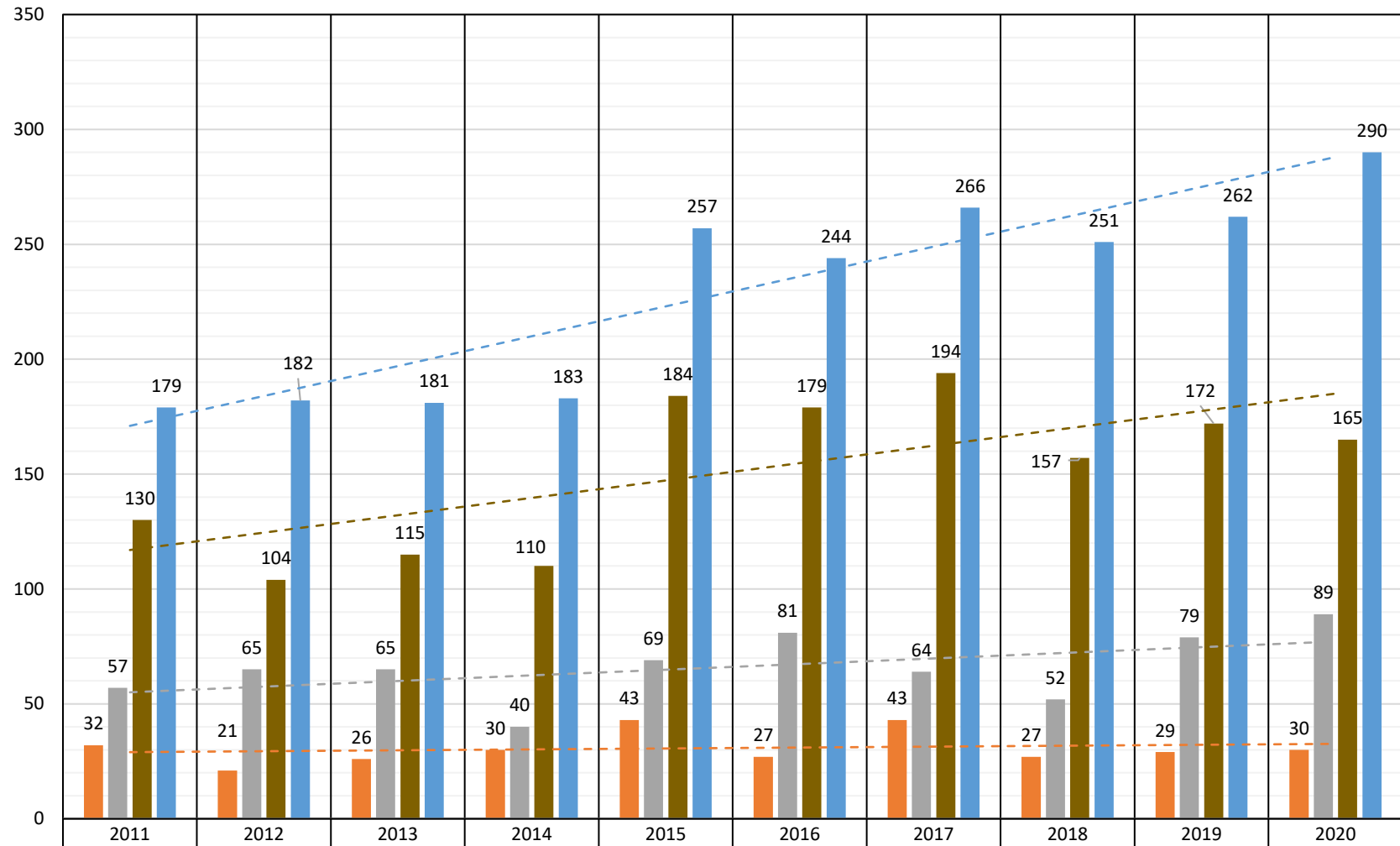


	Victim	Offender
White	819	646
Black	3901	2556
Asian	39	20
American Indian	4	4
Unknown	18	2379

White Black Asian American Indian Unknown

2A Maryland

Homicide - Victims by Year & Age - Source: MSP Uniform Crime Reports 2011-2020

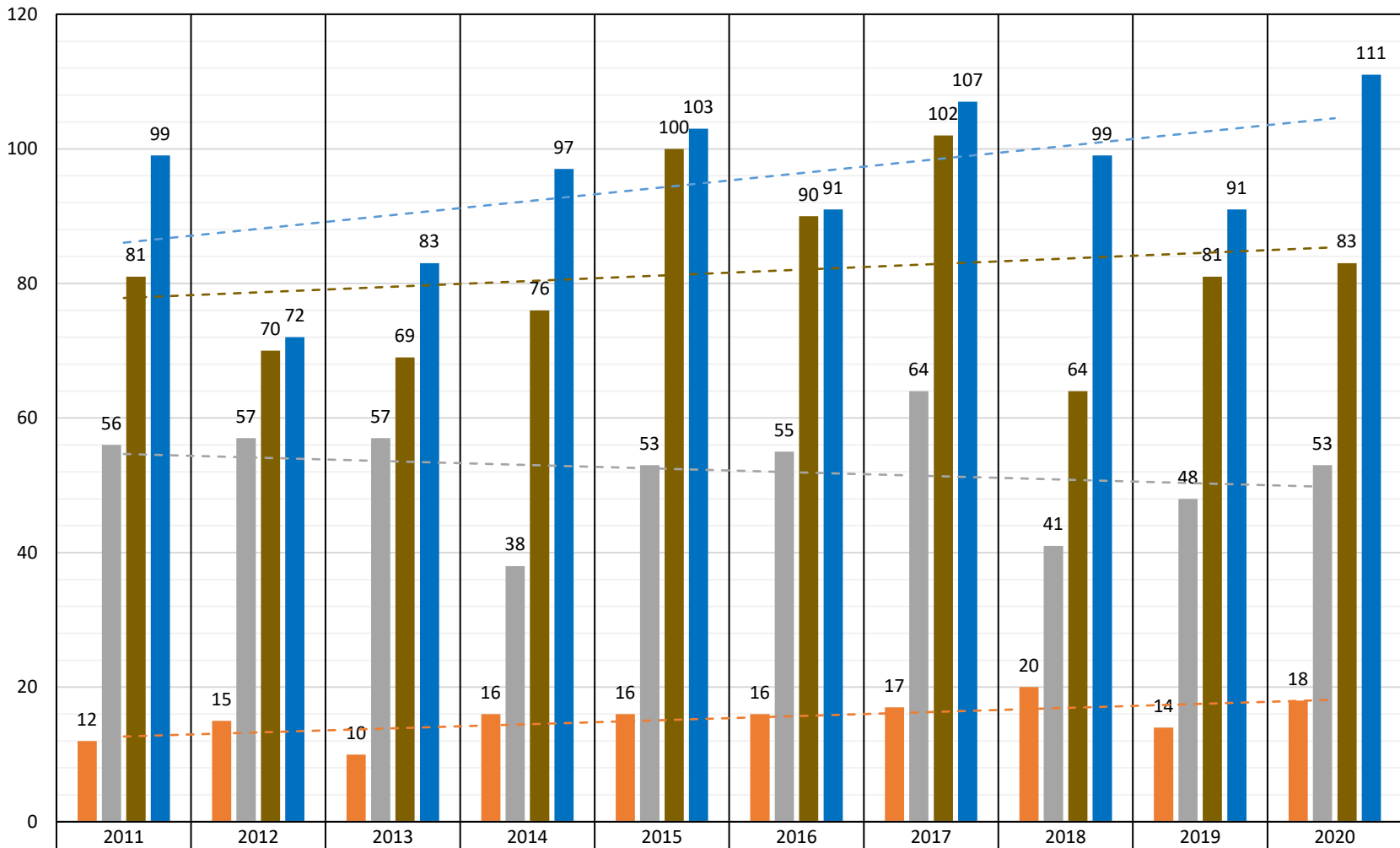


	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Under 18	32	21	26	30	43	27	43	27	29	30
18-21	57	65	65	40	69	81	64	52	79	89
22-29	130	104	115	110	184	179	194	157	172	165
30 and over	179	182	181	183	257	244	266	251	262	290

■ Under 18
 ■ 18-21
 ■ 22-29
 ■ 30 and over
 - - - Linear (Under 18)
 - - - Linear (18-21)
 - - - Linear (22-29)
 - - - Linear (30 and over)

2A Maryland

Homicide - Offenders by Year & Age - Source: MSP Uniform Crime Reports 2011-2020

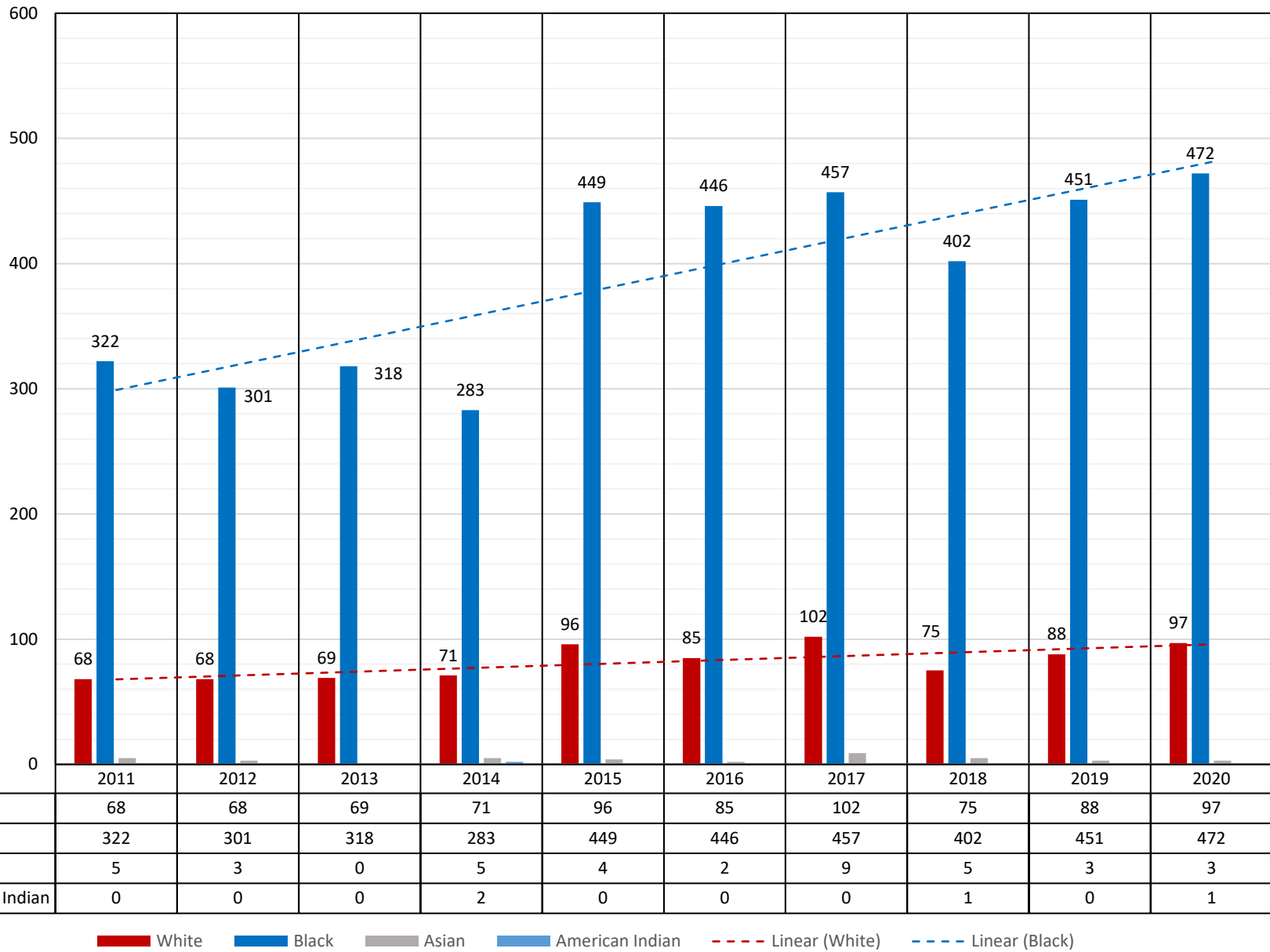


	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Under 18	12	15	10	16	16	16	17	20	14	18
18-21	56	57	57	38	53	55	64	41	48	53
22-29	81	70	69	76	100	90	102	64	81	83
30 and over	99	72	83	97	103	91	107	99	91	111

Under 18 18-21 22-29 30 and over Linear (Under 18) Linear (18-21) Linear (22-29) Linear (30 and over)

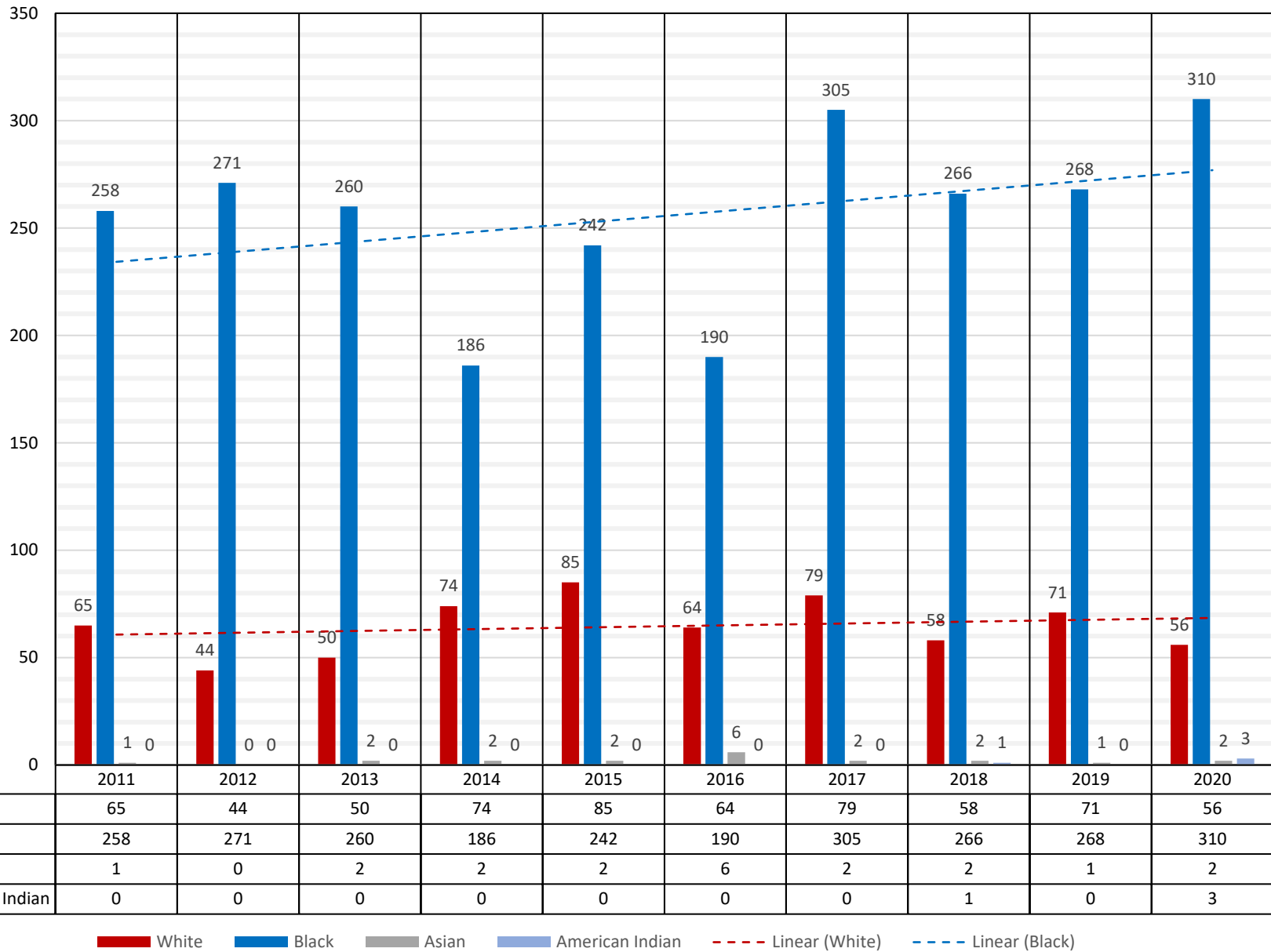
2A Maryland

Homicide - Victims by Year & Race - Source: MSP Uniform Crime Reports 2011-2020



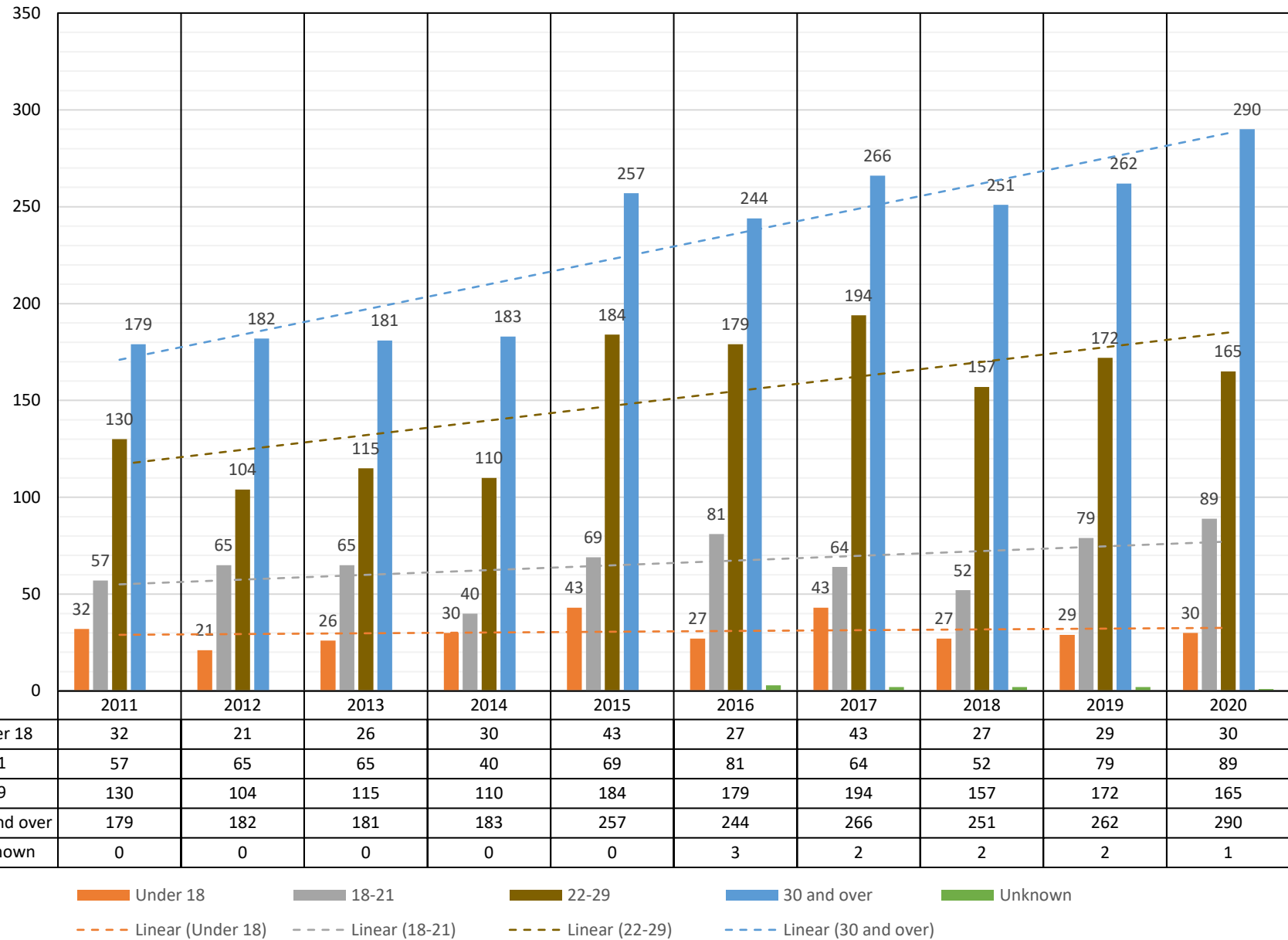
2A Maryland

Homicide - Offenders by Year & Race - Source: MSP Uniform Crime Reports 2011-2020



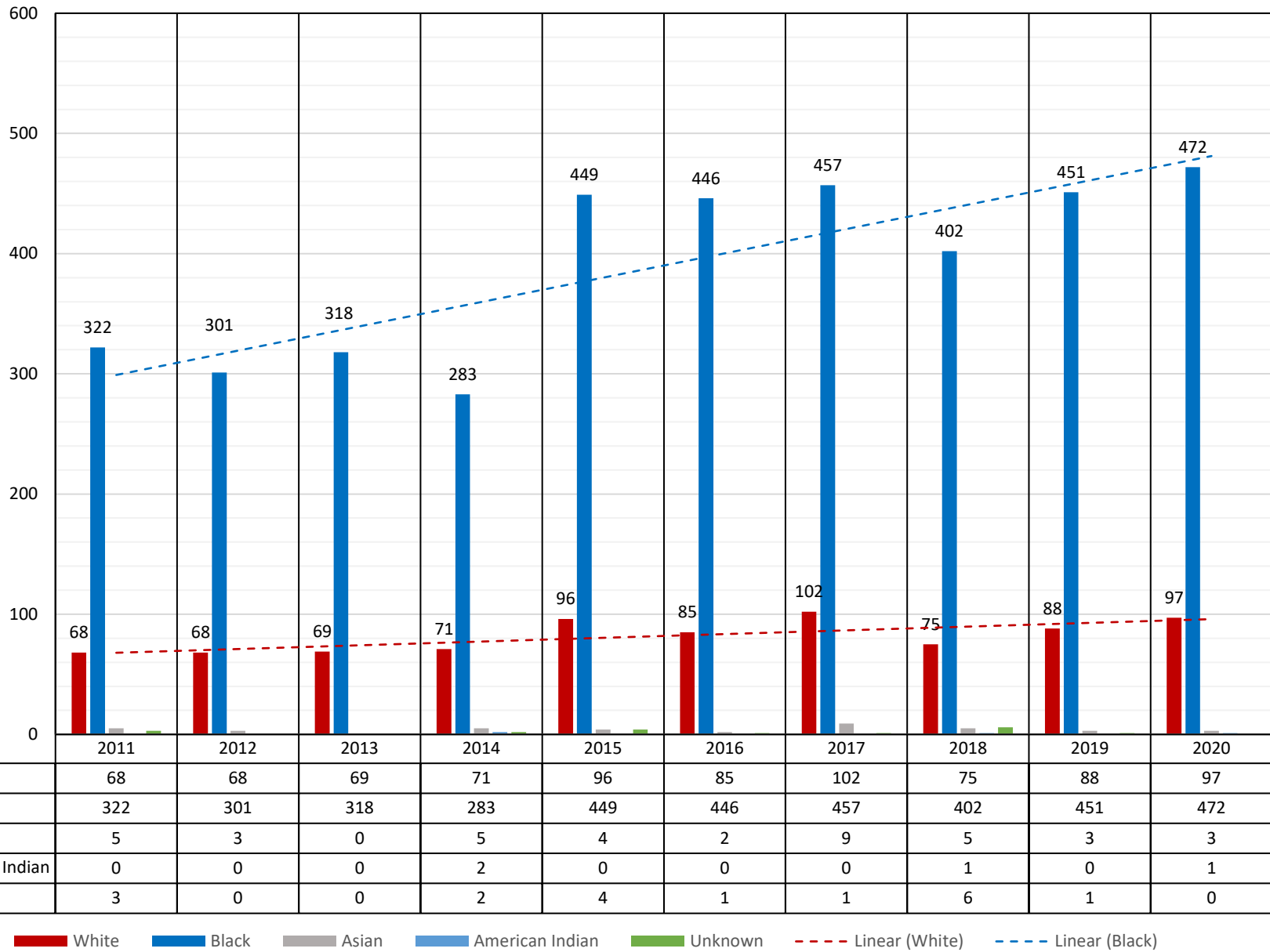
2A Maryland

Homicide - Victims by Year & Age - Source: MSP Uniform Crime Reports 2011-2020



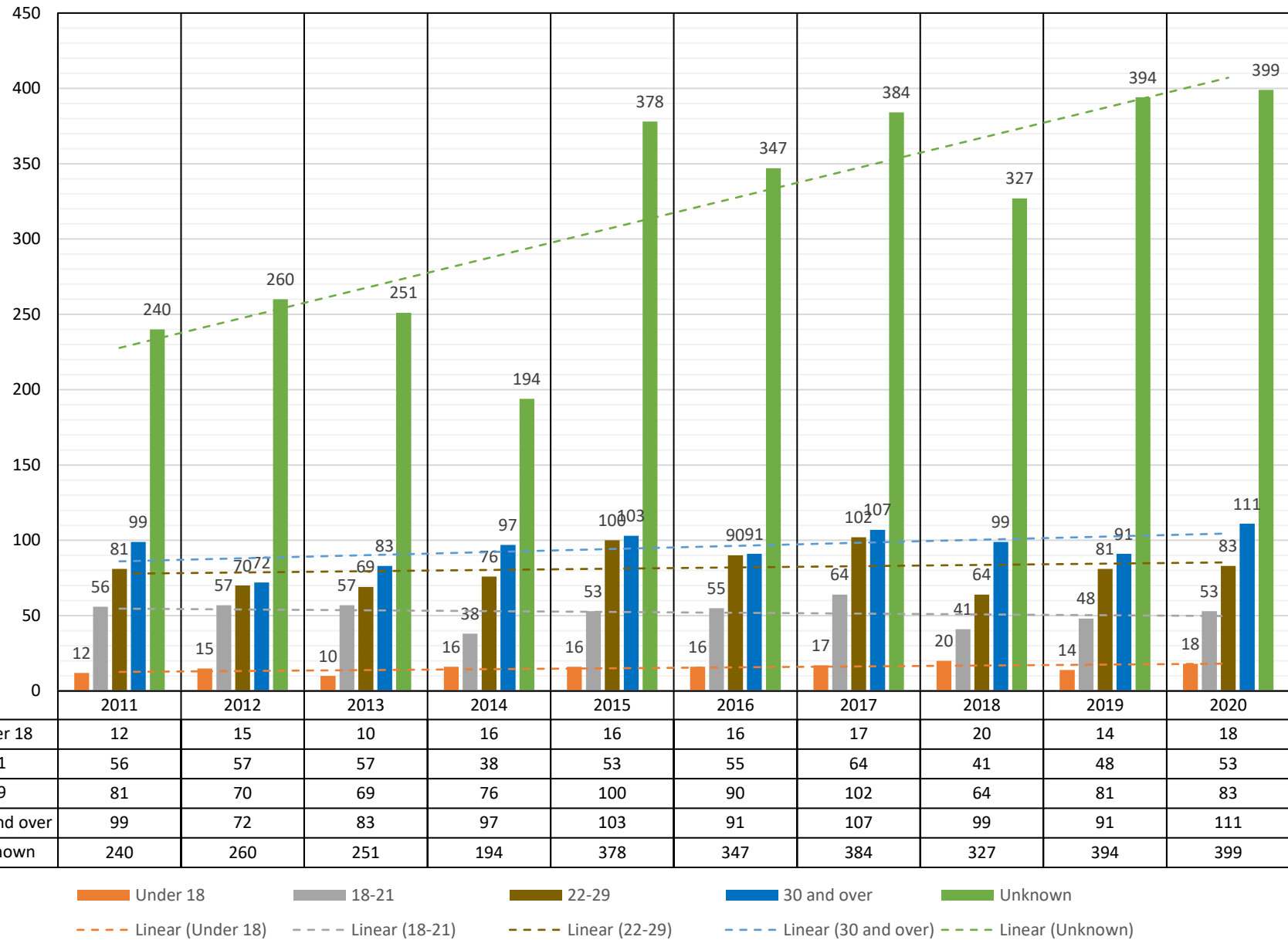
2A Maryland

Homicide - Victims by Year & Race - Source: MSP Uniform Crime Reports 2011-2020



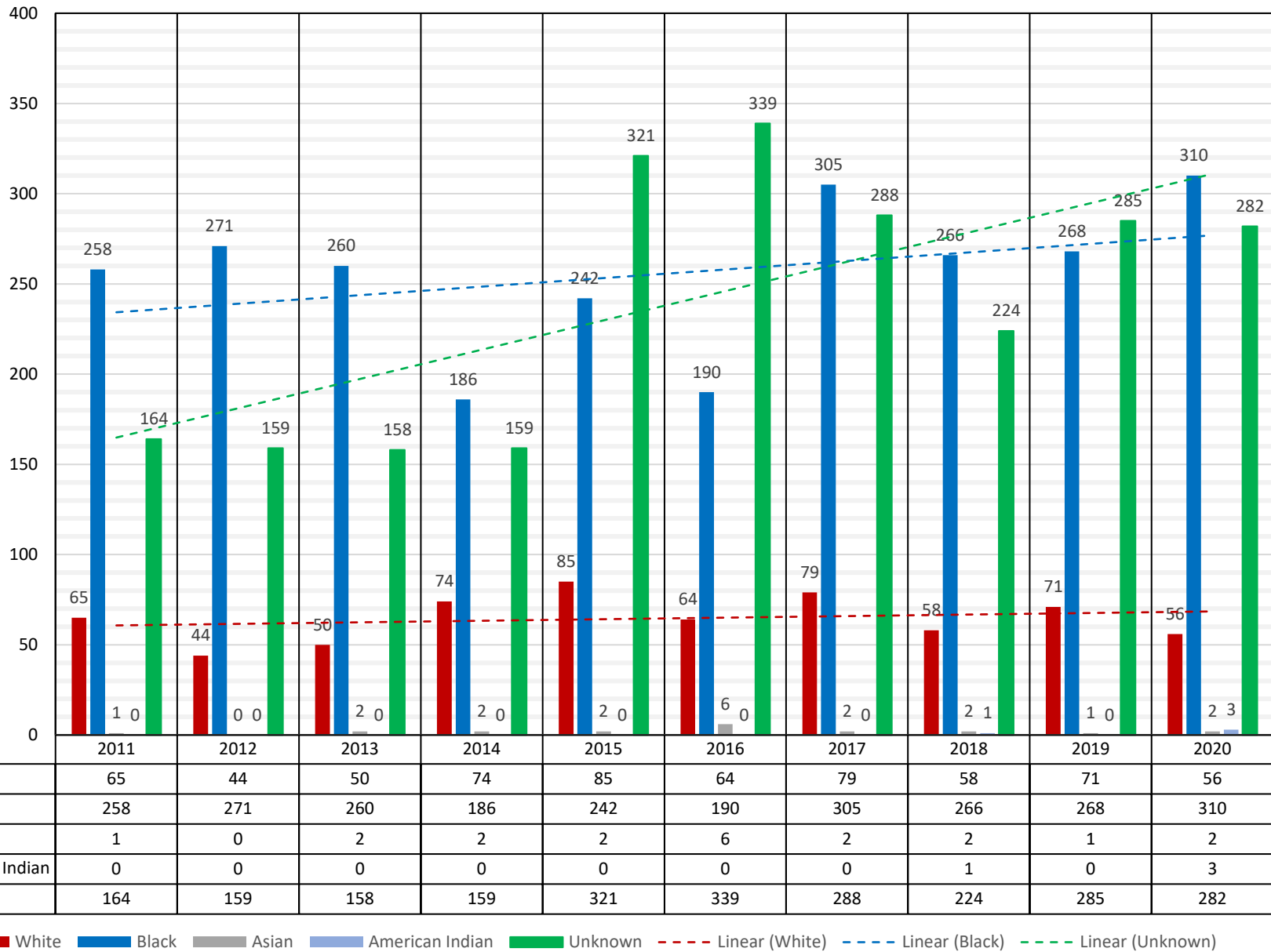
2A Maryland

Homicide - Offenders by Year & Age - Source: MSP Uniform Crime Reports 2011-2020



2A Maryland

Homicide - Offenders by Year & Race - Source: MSP Uniform Crime Reports 2011-2020



	Federal Disqualifications		Details for applicable checks (queries)
1	Convicted of felony or misdemeanor punishable by more than 2 years	NICS INDEX/CJIS/JIS/MD Case Search	
2	Fugitive from justice	METERS NCIC	METERS Query NICS, Master query - MVA/hotfiles/wanted/P.O./gun query QH - obtain FBI#, QR - Criminal History check (response from FBI#), QWI - , IQ - obtain out of state SID, FQ - obtain out of state
3	Unlawful user of, or addicted to, CDS	METERS/CJIS/JIS	METERS Query NICS, Master query - MVA/hotfiles/wanted/P.O./gun query QH - obtain FBI#, QR - Criminal History check (response from FBI#), QWI - , IQ - obtain out of state SID, FQ - obtain out of state response, QW - wanted check, MVA CJIS MAFFS, ADR/Menu, MD Index system to obtain SID, MD Raps obtain response from MD SID JIS Criminal, Warrants, Civil, 8th Circuit Ct, ORI, PFIM Central Booking Baltimore City
4	Adjudicated mental defective or committed to a mental institution	NICS/INDEX/MD Case Search	
5	Illegal or unlawful alien	METERS (IAQ)	IAQ - Criminal Alien Query (INS check)
6	Dishonorably discharged from the Armed Forces	METERS (FBI Record)	METERS - QH - obtain FBI#, QR - response from FBI
7	Has renounced US citizenship	METERS (FBI Record)	METERS - QH - obtain FBI#, QR - response from FBI
8	Subject to restraining order concerning intimate partner or child, on finding of credible threat to physical safety of same, that forbids threat or use of force	METERS NCIC/NICS INDEX	Which check in METERS are doing? What is completed for a NICS Index? (how do you run that?)
9	Convicted of misdemeanor crime of domestic violence	METERS/CJIS/JIS/MD Case Search	METERS QR - FBI Record Run FQ - Out of State SID CJIS MAFFS, ADR/Menu, MD Index system to obtain SID, MD Raps obtain response from MD SID JIS Criminal, Warrants, Civil, 8th Circuit Ct, ORI, PFIM Central Booking Baltimore City MD Case Search - Courts
10	Under indictment or information for crime punishable for term exceeding one year	under indictment – MD case search/CJIS using court case number open case - METERS/CJIS/JIS/MD Search	METERS Query NICS, Master query - MVA/hotfiles/wanted/P.O./gun query QH - obtain FBI#, QR - Criminal History check (response from FBI#), QWI - , IQ - obtain out of state SID, FQ - obtain out of state response, QW - wanted check, MVA CJIS MAFFS, ADR/Menu, MD Index system to obtain SID, MD Raps obtain response from MD SID JIS Criminal, Warrants, Civil, 8th Circuit Ct, ORI, PFIM Central Booking Baltimore City MD Case Search - Courts

	State law disqualifications		Details for applicable checks (queries)
1	Convicted of:		
			METERS Query NICS, Master query - MVA/hotfiles/wanted/P.O./gun query QH - obtain FBI#, QR - Criminal History check (response from FBI#), QWI - , IQ - obtain out of state SID, FQ - obtain out of state response, QW - wanted check, MVA CJIS MAFSS, ADR/Menu, MD Index system to obtain SID, MD Raps obtain response from MD SID JIS Criminal, Warrants, Civil, 8th Circuit Ct, ORI, PFIM Central Booking Baltimore City
	a) Crime of Violence	a. METERS/CJIS/JIS	Same as above
	b) Felony	b. METERS/CJIS/JIS	Same as above
	c) Misdemeanor (in MD or elsewhere) punishable in MD by more than 2 years	c. METERS/CJIS/JIS	Same as above
	d) Common law offense and rec'd term of imprisonment exceeding 2 years	d. METERS/CJIS/JIS	Same as above
2	Fugitive from justice	METERS/JIS	METERS Query NICS, Master query - MVA/hotfiles/wanted/P.O./gun query QH - obtain FBI#, QR - Criminal History check (response from FBI#), QWI - , IQ - obtain out of state SID, FQ - obtain out of state response, QW - wanted check, MVA JIS Criminal, Warrants, Civil, 8th Circuit Ct, ORI, PFIM Central Booking Baltimore City
3	Habitual drunkard	METERS/CJIS/JIS/MVA	METERS Query NICS, Master query - MVA/hotfiles/wanted/P.O./gun query QH - obtain FBI#, QR - Criminal History check (response from FBI#), QWI - , IQ - obtain out of state SID, FQ - obtain out of state response, QW - wanted check, MVA CJIS MAFSS, ADR/Menu, MD Index system to obtain SID, MD Raps obtain response from MD SID JIS Criminal, Warrants, Civil, 8th Circuit Ct, ORI, PFIM Central Booking Baltimore City MVA - ID/Driving records
4	Addicted to, or habitual user of CDS	METERS/CJIS/JIS	METERS Query NICS, Master query - MVA/hotfiles/wanted/P.O./gun query QH - obtain FBI#, QR - Criminal History check (response from FBI#), QWI - , IQ - obtain out of state SID, FQ - obtain out of state response, QW - wanted check, MVA CJIS MAFSS, ADR/Menu, MD Index system to obtain SID, MD Raps obtain response from MD SID JIS Criminal, Warrants, Civil, 8th Circuit Ct, ORI, PFIM Central Booking Baltimore City
5	Suffers from mental disorder and has history of violent behavior to self or others	DHMH/NICS CHECK (Also "Flagged" in MAFSS by FRS at request of Law Enforcement and Physicians, records kept in a Flagged File)	DHMH Mental Health Records NICS CHECK (Also "Flagged" in MAFSS by FRS at request of Law Enforcement and Physicians, records kept in a Flagged File) Explain a NICS check
6	Before 10/1/13 - Has been confined to a facility for more than 30 consecutive days. After 9/30/13 - Has been involuntarily committed to a facility	DHMH DHMH, NICS INDEX	Explain NICS index???
7	Is a respondent on MD non-ex parte protective order	METERS	METERS Query NICS, Master query - MVA/hotfiles/wanted/P.O./gun query QH - obtain FBI#, QR - Criminal History check (response from FBI#), QWI - , IQ - obtain out of state SID, FQ - obtain out of state response, QW - wanted check, MVA
8	If under 30 and adjudicated delinquent by juvenile court for act that would be disqualifying crime	DJS Assist	EXPLAIN?
9	After 9/30/13 - Found incompetent to stand trial	NICS INDEX/CJIS/JIS/MD Case Search	CJIS MAFSS, ADR/Menu, MD Index system to obtain SID, MD Raps obtain response from MD SID JIS Criminal, Warrants, Civil, 8th Circuit Ct, ORI, PFIM Central Booking Baltimore City MD Case Search - Courts Explain NICS index?????
10	After 9/30/13 - Found not criminally responsible	NICS INDEX/CJIS/JIS/MD Case Search	CJIS MAFSS, ADR/Menu, MD Index system to obtain SID, MD Raps obtain response from MD SID JIS Criminal, Warrants, Civil, 8th Circuit Ct, ORI, PFIM Central Booking Baltimore City MD Case Search - Courts Explain NICS index?????
11	After 9/30/13 - Voluntarily admitted to a facility for more than 30 consecutive days	DHMH	DHMH Mental Health Records
12	After 9/30/13 - Under protection of guardian for non-physical disability	CJIS/JIS/NICS - testing phase and will be ready for 10/1. No concrete info on which database the return will come from at this time.	CJIS/JIS/NICS - testing phase and will be ready for 10/1. No concrete info on which database the return will come from at this time.
13	After 9/30/13 - Respondent on out-of-state protective order	METERS NCIC	METERS Query NICS, Master query - MVA/hotfiles/wanted/P.O./gun query QH - obtain FBI#, QR - Criminal History check (response from FBI#), QWI - , IQ - obtain out of state SID, FQ - obtain out of state response, QW - wanted check, MVA

Crime_Dashboard_02-05-2023.pdf

Uploaded by: John Josselyn

Position: UNF



GOVERNOR'S OFFICE OF
Crime Prevention, Youth, and Victim Services



ALL

HOME

MARYLAND STATISTICAL ANALYSIS CENTER

GRANTS

VICTIM SERVICES

CHILDREN AND YOUTH

CRIMINAL JUSTICE PROGRAMS

RESOURCES DURING COVID-19 PANDEMIC

Crime Dashboard

<http://goccp.maryland.gov/data-dashboards/crime-dashboard/>

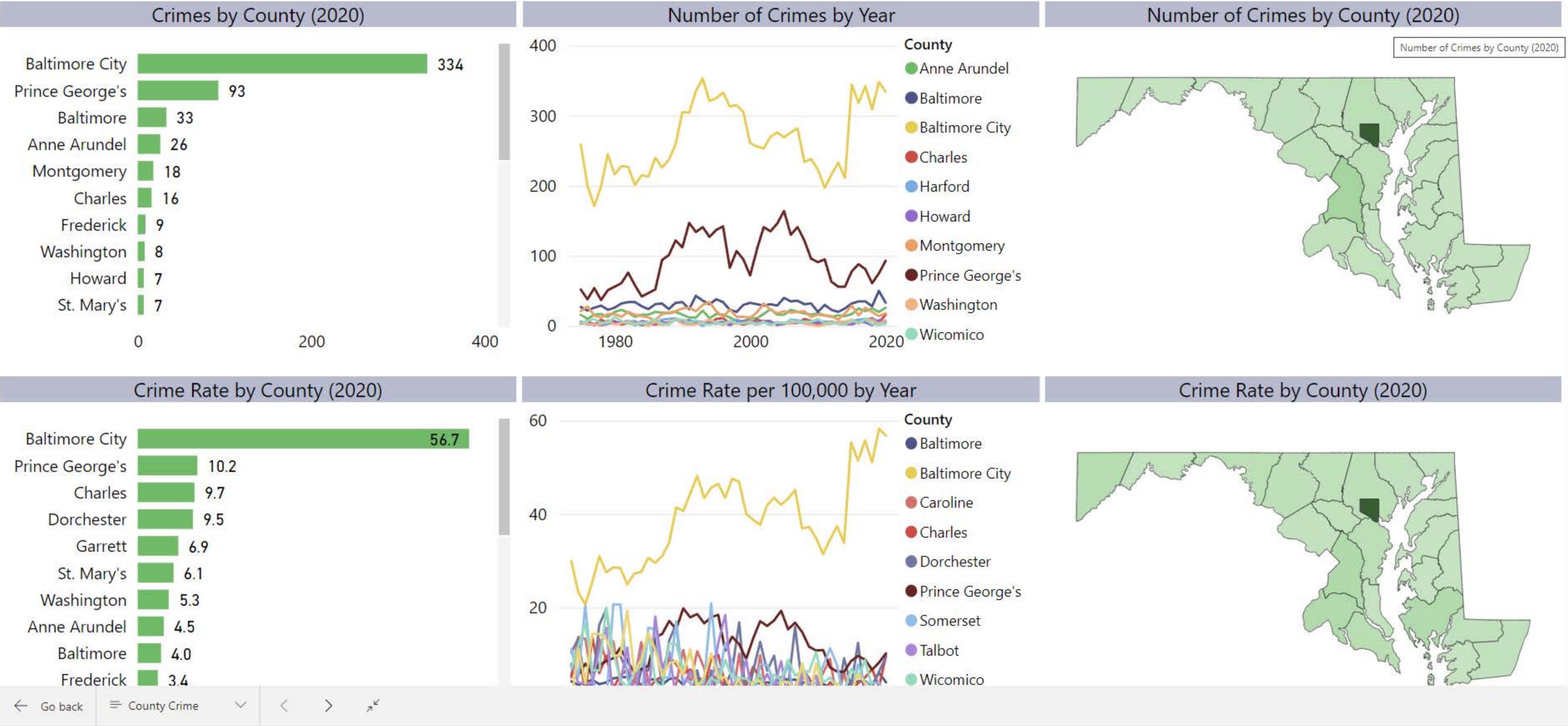
About the Crime Dashboard

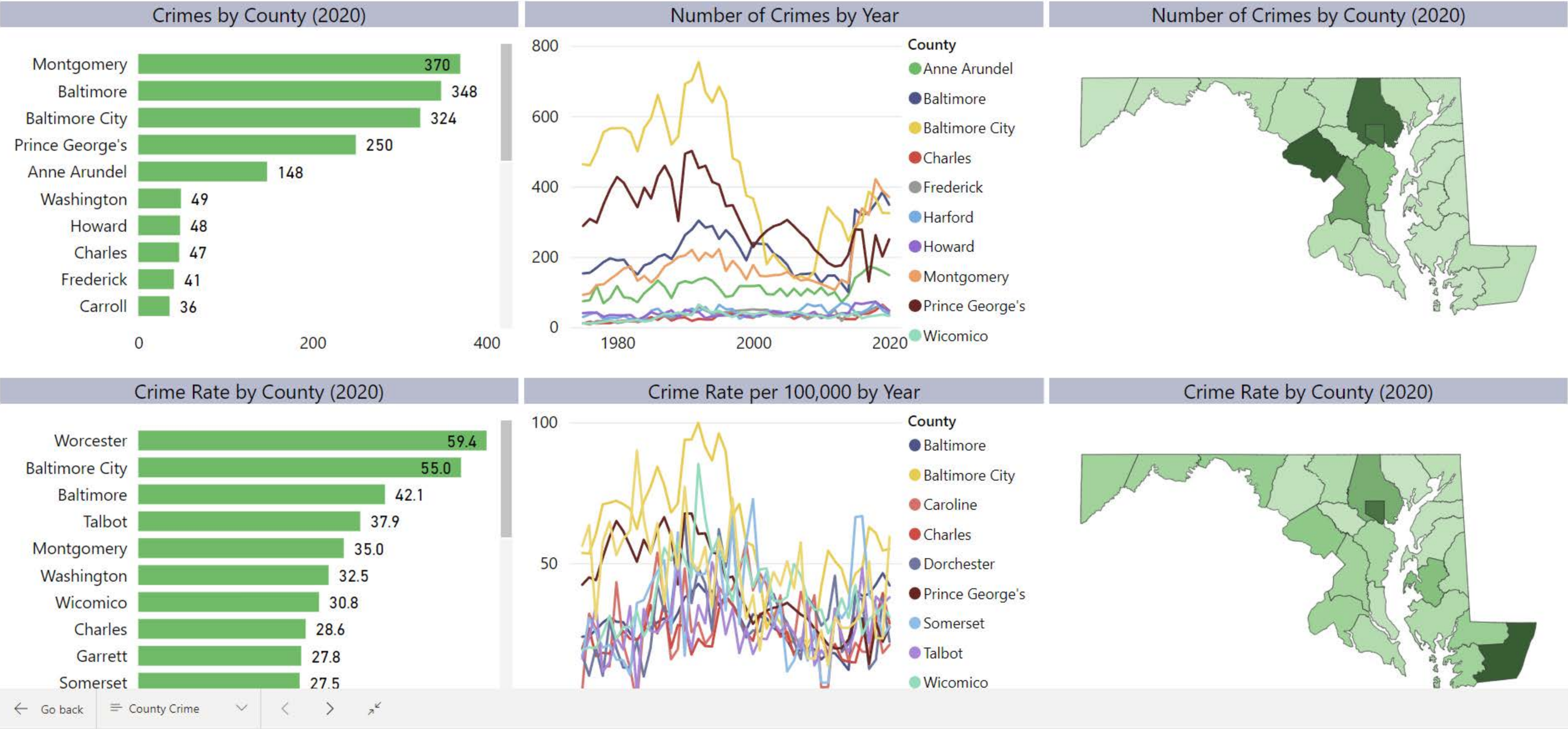
The dashboard includes crime statistics at the county, municipal, and state level.

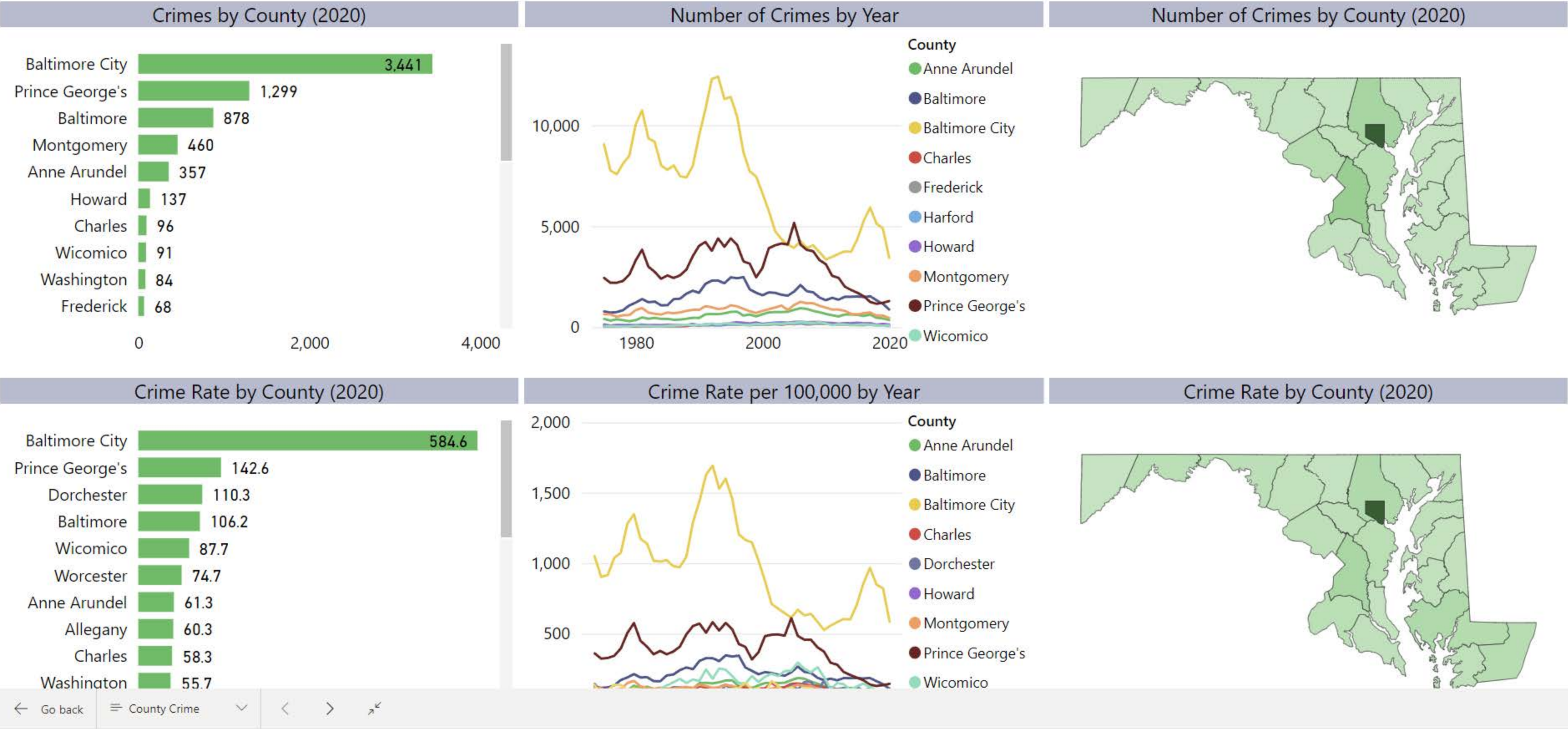
Data Sources

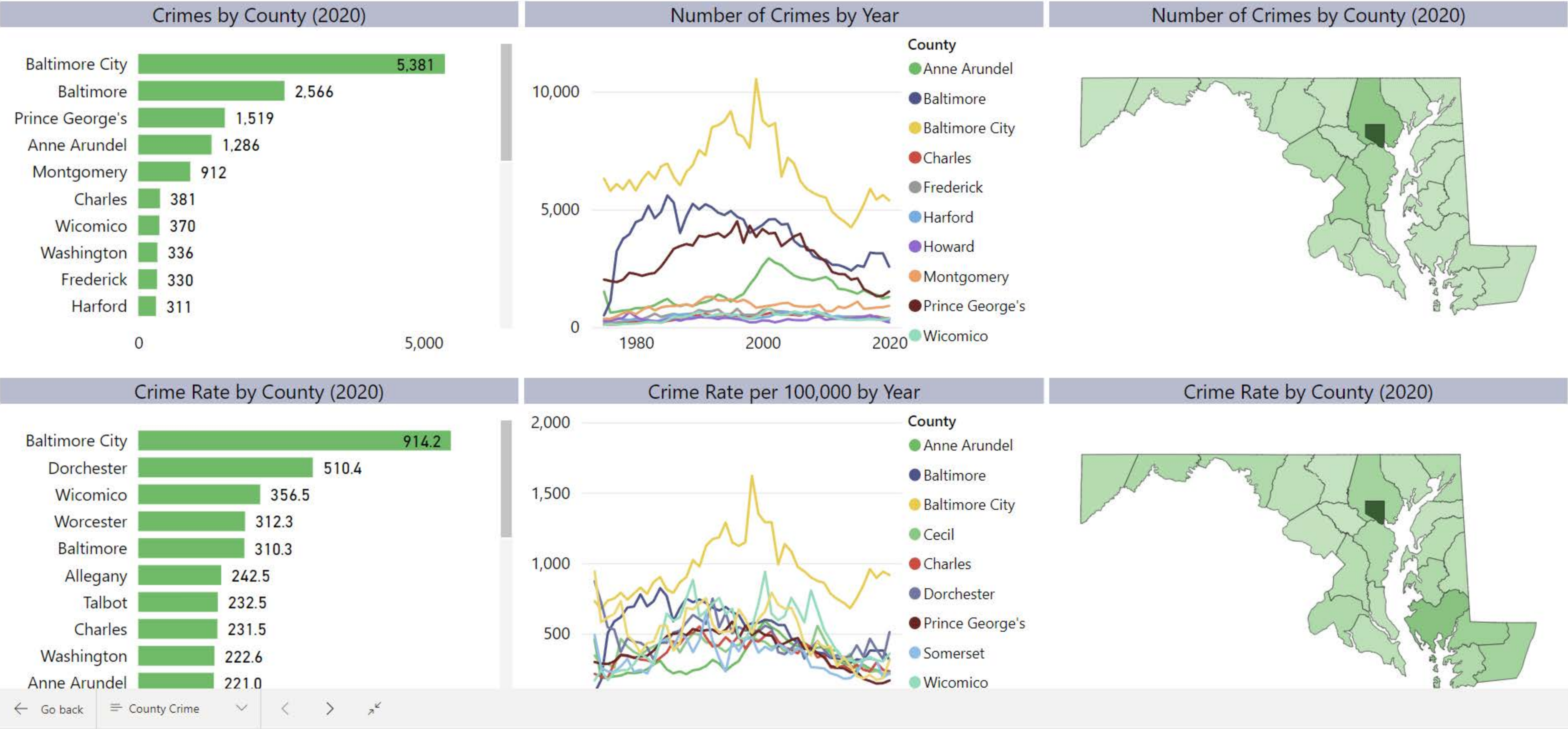
Data reflected at the county and municipal level is provided by the Maryland Department of State Police Central Records Division, through the Uniform Crime Reporting (UCR) Program which consists of all crimes reported to law enforcement agencies in Maryland. Data reflected at the state level is consistent with UCR data which is reported to the Federal Bureau of Investigation (FBI) from all law enforcement agencies in the country. Please select this [link](#) to view additional dashboards created by the Governor's Office of Crime Prevention, Youth, and Victim Services.

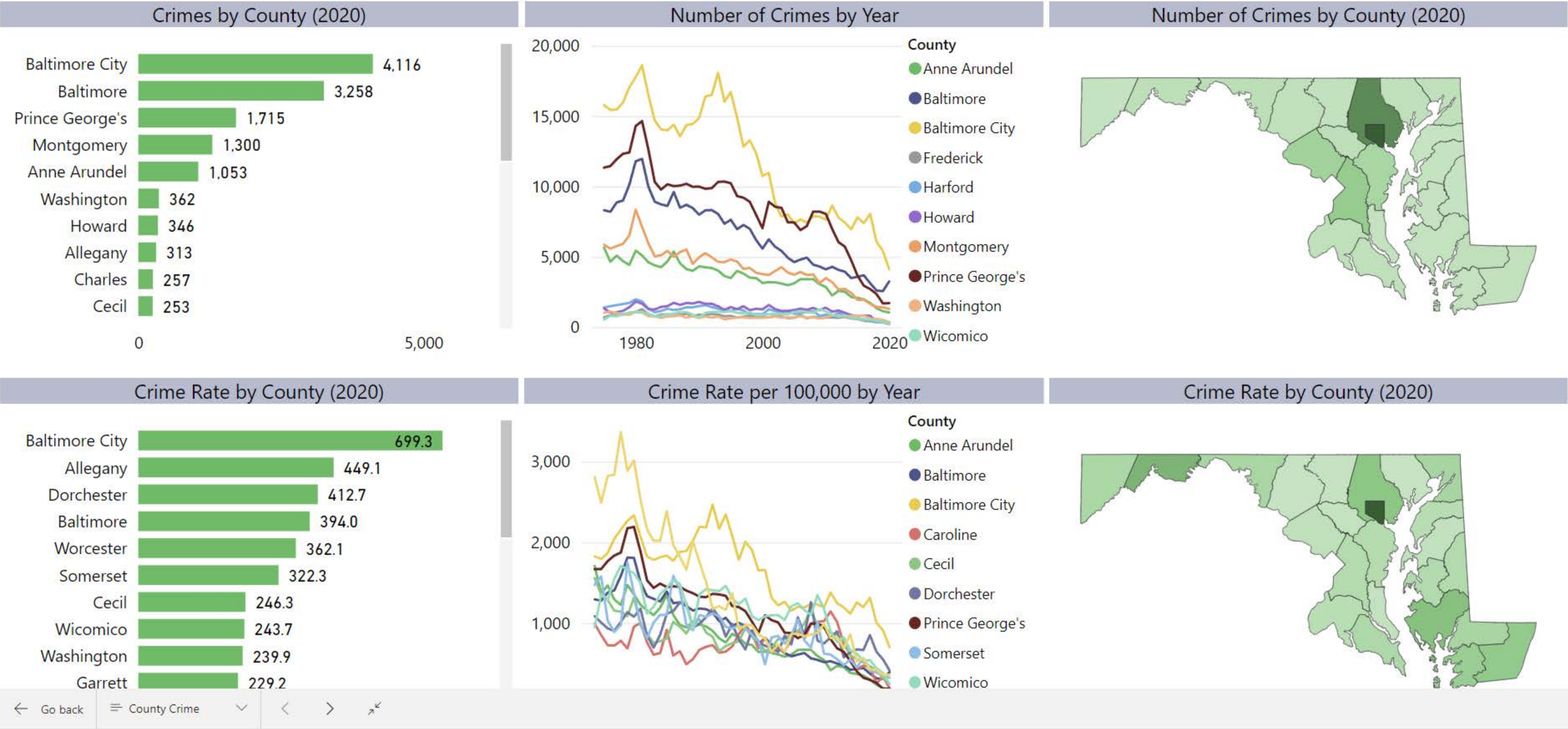
2A Maryland SB1, SB86, SB113, SB159

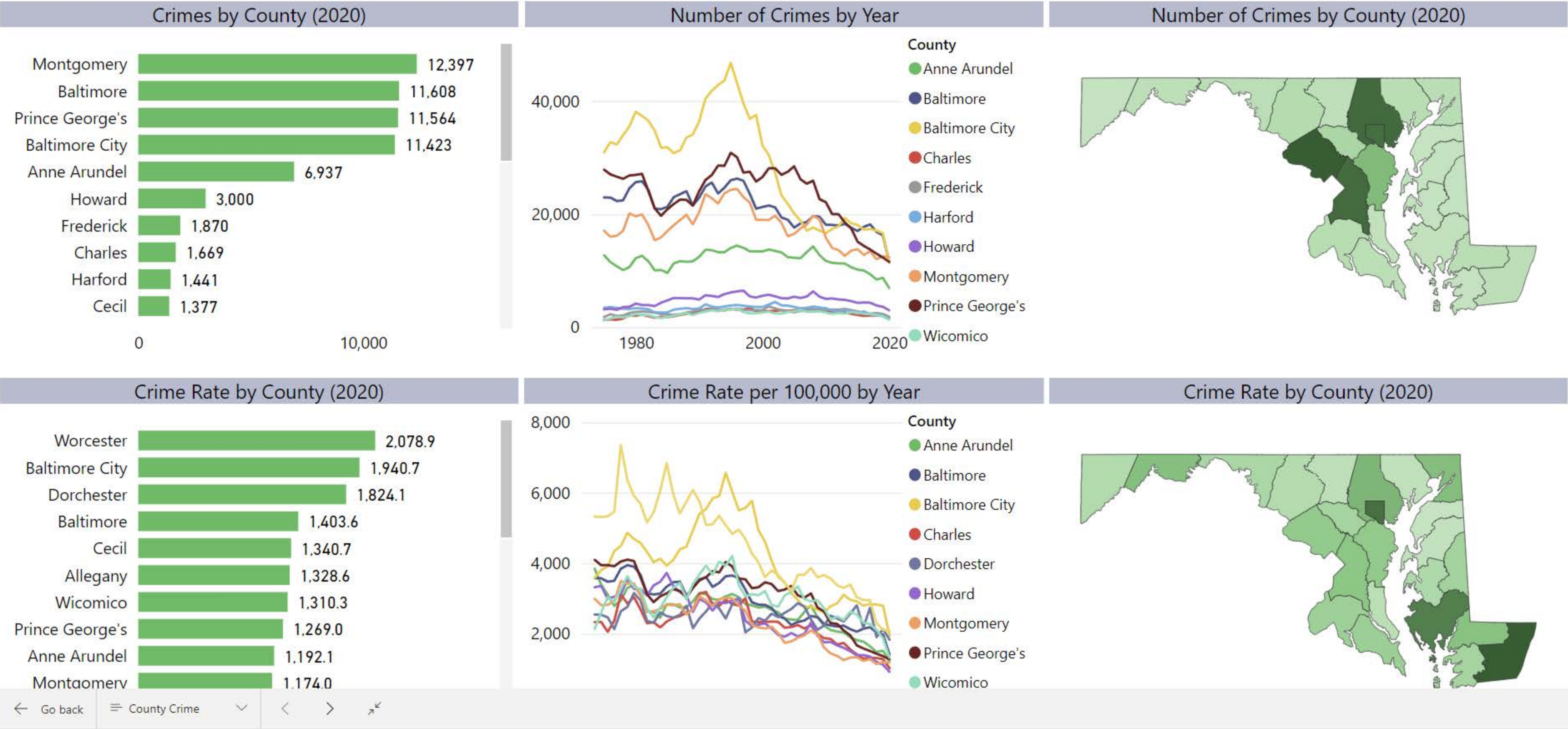


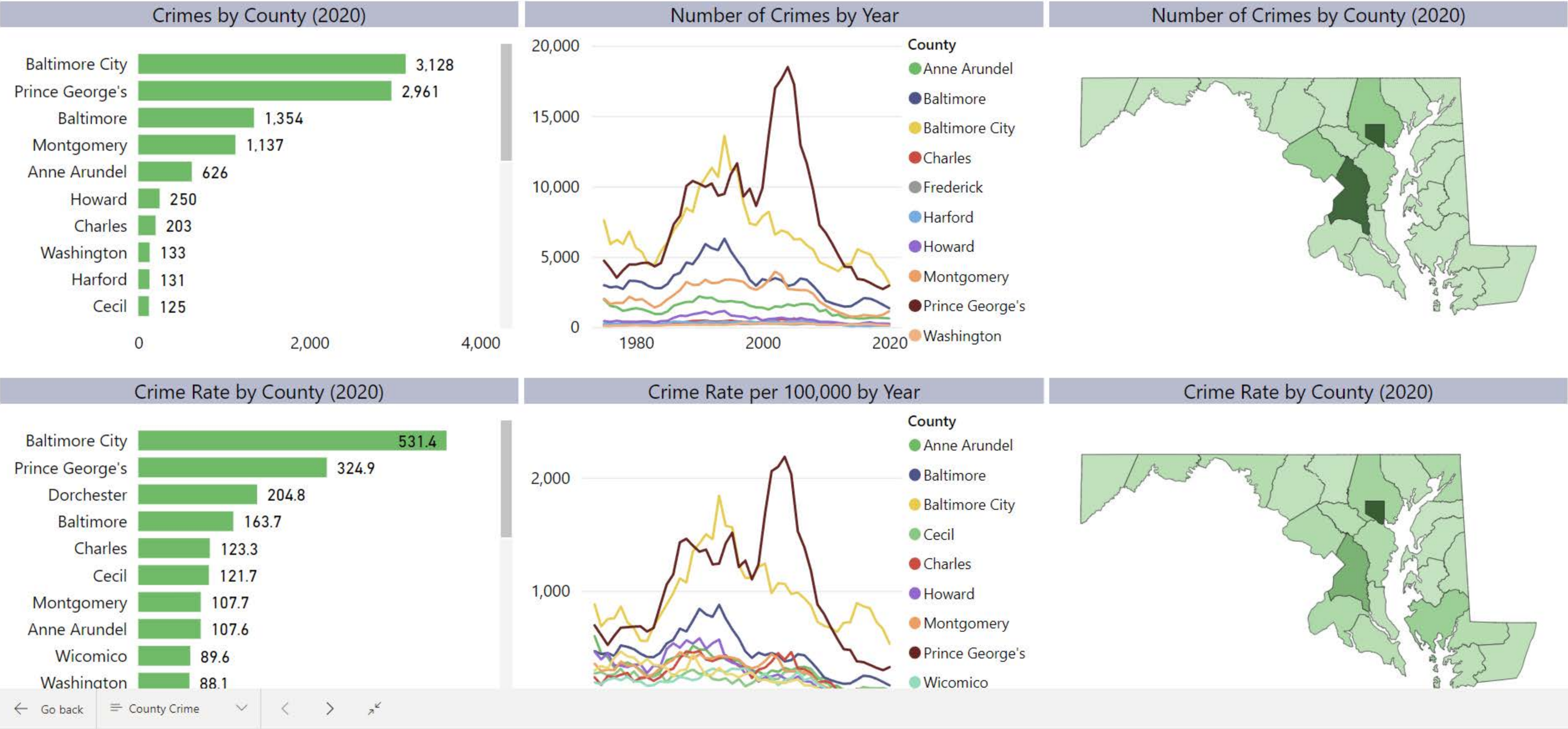












Number of Crimes by Year

20,000

15,000

10,000

5,000

0

1980

2000

2020

County

Anne Arundel

Baltimore

Baltimore City

Charles

Frederick

Harford

Howard

Montgomery

Prince George's

Washington

Number of Crimes by County (2020)



Crime Rate by County (2020)

Baltimore City

Prince George's

Dorchester

Baltimore

Charles

Cecil

Montgomery

Anne Arundel

Wicomico

Washington

531.4

324.9

204.8

163.7

123.3

121.7

107.7

107.6

89.6

88.1

Crime Rate per 100,000 by Year

2,000

1,000

0

1980

2000

2020

County

Anne Arundel

Baltimore

Baltimore City

Cecil

Charles

Howard

Montgomery

Prince George's

Wicomico

Crime Rate by County (2020)



Go back

County Crime

<

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SB0086_Testimony_2A_Maryland.pdf

Uploaded by: John Josselyn

Position: UNF



2A Maryland

2A@2AMaryland.org

Senate Bill 0086

Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)

UNFAVORABLE

Senate Bill 0086 §5-205 (c) (1) prohibits the possession of a rifle or shotgun by a person under 21 years of age with certain limited exceptions.

There is no language which addresses the thousands of rifles and shotguns currently owned and/or possessed by Maryland citizens under the age of twenty-one. What plans does the government have to enforce HB 0086?

Will law enforcement agencies be tasked with verifying that the thousands of rifles and shotguns currently owned by persons under the age of 21 will now be possessed only under the limited exceptions this Bill allows?

SB 0086 totally ignores the fact that most under the age of 21 and who will be impacted by the proposed ban on possession of rifles and shotguns are also the legal owners of these firearms.

The 14th Amendment to the United State Constitution provides *“No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”*

Will compensation for loss of possession of a legally owned and constitutionally protected item be provided by the government? Or does the United States Constitution no longer apply?

One of the enumerated exceptions is §5-205 (c)(2)(VI): THE POSSESSION OF A FIREARM FOR SELF-DEFENSE OR THE DEFENSE OF OTHERS AGAINST A TRESPASSER INTO THE RESIDENCE OF THE PERSON IN POSSESSION OR INTO A RESIDENCE IN WHICH THE PERSON IN POSSESSION IS AN INVITED GUEST.

Under this limited exception, possession of a rifle or shotgun is still permissible for self-defense within the home. It is unclear how the person would achieve possession in the first place. Is there a presumption the dealer would deliver the firearm to the buyer's residence? Is there a provision which would allow possession between the dealer's place of business and the home? How would the person in possession be able to transport the firearm from possessor's home to the home to which they are an invited guest? Will the person who extends the invitation be required to post a "firearms welcome" sign as envisioned by the sponsor's SB 0001?

The ownership of a rifle or shotgun by a parent is never addressed by SB 0086. If a parent or other person over the age of 21 owns or possesses a shotgun in the home. Is the under twenty-one person living in the home in "constructive possession" of the rifle or shotgun? Is the under twenty-one person in violation if the rifle or shotgun is not designated for self-defense?

"One of the archetypal examples of constructive possession is when a suspect has actual possession of a key to a lockbox or safe, and within that container is the alleged contraband (drugs, stolen property, guns, etc.). Since the person who holds the key has the exclusive ability to access and use what lies in a locked container, the law treats the keyholder as if he or she had the lockbox's contents in his or her pocket.

The lockbox metaphor doesn't have to be so literal. You can constructively possess a car or house by knowingly possessing the keys to either one. Stashing stolen merchandise or drugs in your car or home won't stop prosecutors from saying that you possessed them."

Source: <https://www.findlaw.com/legalblogs/criminal-defense/what-is-constructive-possession/>

SB 0086 makes liberal use of the terms "transfer" and "temporary transfer." The definition of "transfer" as it pertains to this section is not contained in the Bill which leaves the term vague and the intent misleading. A "transfer" is the permanent change in ownership and not simple possession. A "temporary transfer" is not legally a transfer and should be described as a loan to accurately reflect the action involved.

It should be noted that the language of this Bill conflicts with the language in Criminal Law §4- and also conflicts with Sections §10-301 and §10-301.1 of the Natural Resources Article.

It is unrealistic to believe that any person who intends to commit murder or a violent felony will be in any way deterred by the commission of a misdemeanor offense and the potential penalties of up to 3 years imprisonment and/or a fine of up to \$1,000?

SB 0086 will have a chilling impact on hunting, competitive shooting, firearms ownership, and the shooting sports as a whole. We believe this is the intended purpose of the Bill.

We strongly urge an Unfavorable report.

John H. Josselyn, Director
2A Maryland

2023 - SB 86 - Age Based Gun Ban - NSSF Opposition

Uploaded by: John Pica

Position: UNF

February 2, 2023

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

**SENATE BILL 86
OPPOSE**

Re: Senate Bill 86 – Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings Committee:

On behalf of the National Shooting Sports Foundation (“NSSF”), and our industry members located throughout the state of Maryland, I write today to express our opposition to Senate Bill 86 (“SB 86”), also referred to as of the “Raise the Age Act of 2023.” SB 86 seeks to discriminate against an entire group of young adults and their ability to lawfully possess and purchase a firearm and ammunition based on their age.

BACKGROUND ON NSSF

As the trade association for America’s firearms, ammunition, hunting, and recreational shooting sports industry, the National Shooting Sports Foundation (“NSSF”) seeks to promote, protect, and preserve hunting and the shooting sports. NSSF represents more than 10,000 members which include federally licensed manufacturers, wholesale distributors and retailers of firearms, ammunition and related goods and accessories, as well as public and private shooting ranges, sportsmen’s clubs, and endemic media, including close to 100 businesses located in Maryland, such as Beretta USA, Benelli USA and its family of brands, and LWRC International. Nationally, our industry contributes close to \$70.5 billion dollars annually to the economy creating over 345,000 good paying jobs and paying over \$7.8 billion dollars in taxes. Our industry has a \$890.70 million dollar impact on the Maryland economy, creating more than 4,200 jobs paying over \$287 million in wages and nearly \$109 million dollars in taxes.

Members of the firearm industry are proud of their longstanding cooperative relationship with law enforcement. For example, on behalf of our industry members, for over two decades NSSF has partnered with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) on an anti-straw purchasing campaign called *Don’t Lie for the Other Guy* (www.dontlie.org). This joint effort assists ATF in training licensed retailers to be better able to identify potential illegal straw purchases and avoid those transaction. Don’t Lie also provides public service announcements to educate the public that it is a serious crime to illegally straw purchase a firearm for which you can be sentenced to up to ten years in prison and fined of up to \$250,000.

Another example is *Operation Secure Store* (www.operationsecurestore.org), a joint ATF/NSSF initiative providing licensed retailers with education on solutions and services that enhance

operational security and aid in identifying potential risks, protecting interests, and limiting the disruption of operations. The mission is to deter and prevent thefts from retailers and enhance public safety. NSSF also provides significant compliance resources and educational opportunities to members of the industry. See <https://www.nssf.org/retailers/fli-compliance/>.

OPPOSITION TO SB 86

NSSF is strongly opposed to SB 86 because it seeks to enact age-based discrimination, denying 18 to 20 year olds the ability to exercise a constitutional right. At 18 years of age, an American may vote, enlist and may be drafted to serve in our military. If an 18-year-old is old enough to defend our rights with an automatic, military firearm, and to die in service to our country, there is no reason to deny a qualified individual his or her Second Amendment right to own a semi-automatic firearm. A blanket prohibition on firearm ownership for those aged 18 to 20 is arbitrary and not supported by evidence that this will have an impact on criminal misuse of firearms.

[A review of mass shootings](#) over the last 50 years found only one other instance of the use of a modern sporting rifle that was legally obtained by a shooter under the age of 21. Consider the impact made by the unconstitutional ban on handgun purchases for those in this age bracket. Data clearly show that gun violence is often committed by prohibited young men involved in gang activity, with illegal handguns as the firearm of choice. The age restriction does not stop criminals. It only stops those who follow the law, regardless of age. Noted criminologist Gary Kleck performed a longitudinal analysis of the impact of the 1968 ban on 18-20 year olds purchasing handguns. After testing for an impact on the share of violent crime arrests for the adults in this age group, he concluded that the results, “indicate that there was no impact of these age restrictions on handgun purchases, on the 18-to-20 share of arrests for homicide, robbery or aggravated assault.”

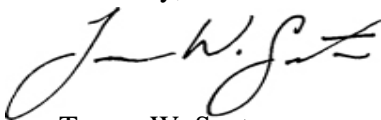
CONCLUSION

The Second Amendment inclusion in the Bill of Rights establishes that an individual’s right to keep and bear arms is a fundamental individual right, just as the right to exercise free speech, practice religion, or vote in elections are available to law-abiding American adults to freely exercise upon their choosing. Denial of the full ability to exercise these rights, or to relegate Second Amendment rights to a second-class status, is a right denied. This was affirmed in 2008 by the U.S. Supreme Court in its District of Columbia v. Heller decision. The majority decision affirmed the right of individuals to keep and possess firearms for lawful purposes.

Since 18 is the legal age of majority and persons under 21 can’t legally purchase a handgun, raising the long gun purchase age to 21 effectively deprives persons age 18-21 of their Constitutionally protected rights by denying them the ability to legally acquire the means for self-defense.

It is for these reasons, the National Shooting Sports Foundation opposes Senate Bill 86 and we would respectfully request an Unfavorable Report.

Sincerely,



Trevor W. Santos

Opposition to bills SB 1 SB 118 SB 86 SB 113.pd

Uploaded by: Jonathan Norris

Position: UNF

Jonathan Norris Jr. 1110 Mandarin Dr. Upper Marlboro MD 20774 3012520239 Jonnynorris@comcast.net

Honorable Senators and Delegates

Hello my name is Jonathan Norris Jr,

I am originally from Baltimore Maryland I currently reside in upper Marlboro and I am a Howard University alumnus. As someone who supports lawful and license concealed carriers I want to go on record with my opposition to these bills. I still don't understand how these things get created as if people who break the law would actually follow these laws and the people who do everything they can to comply with them should be penalized even more for being compliant. If it is your right to protect your family yourself your business those of us that have high level clearances. Why is it now that the state of Maryland decide that we should be vulnerable in public.

I would also like to add that being from Baltimore I have survived more than one gun related crime in my lifetime. I can tell you that at least one of those instances that happened to be someone else with a firearm that came to my aid and all of these were before I reached the age of 19 years old.

Law abiding citizens aren't out here committing gun violence but they deserve to defend themselves from the violence has been committed.

I can also remember in my digital forensics class speaking with federal law enforcement and local telling me that with the response time that things would happen and go down before they could even be on the scene it would be Over.

I am 100% opposed to : SB 1; SB 118; SB 86 & SB 113

Thank you

Jonathan Norris Jr.

Former Producer 96.3 FM radio DC

Manager Fleet Tv

Digital Forensics and Cyber Security Contractor to the Federal Government

Former AEAN US NAVY Reserve

Graduate Howard university

Father to a young son

SB-0086 - 2023.pdf

Uploaded by: Joseph Winter

Position: UNF

WESTERN MARYLAND SPORTSMEN'S COALITION, INC.

Garrett Allegany Washington Frederick Carroll

February 6, 2023

Honorable Members of the
Maryland Senate Judicial Proceedings Committee
Senate Office Building
Annapolis, Md. 21401

Subject: SB -0086 OPPOSE
Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act Of 2023)

Dear Honorable Senators:

My name is Ben Kelkye and I currently hold the office of President of the Western Maryland Sportsmen's Coalition, Inc. (WMSC) The Coalition is an organization that consists of thousands of individual members of many sportsmen's clubs of the five western Maryland counties of Garrett, Allegany, Washington, Frederick, and Carroll. We meet regularly with authorized representatives of our members' sporting clubs, their designated county representatives and members of other associations & organizations affiliated with our sport.

Briefly stated, our mission is to provide recognition and publicity for area sportsmen and conservation clubs engaged in wildlife management and/or the preservation of land, water, and open space resources and to provide a forum in which each member organization may present and discuss its local memberships' views on such issues.

We strive to promote and protect the right of every law-abiding citizen to keep and bear arms and ammunition for self-defense and for all other lawful purposes, especially shooting sports, and to provide the sportsmen and conservationists of Western Maryland an opportunity to present a united and more effective voice in matters relating to the environment and fish and game management.

The Western Maryland Sportsmen's Coalition is very disturbed at the submission of **SB0086** that calls to raise the age of possessing a long gun and/or ammunition to the age of twenty-one years old. Many of our organizations, such as the Izaak Walton League of America, for example, work hand in hand with the Md. Department of Natural Resources in cultivating young hunters and teaching them safety and respect of all firearms. The safety classes are mandatory. A hunting license cannot be obtained without successful completion of the Hunter Safety Class that includes testing and hands on demonstration of safe gun handling.

We are very concerned that implementing this very restrictive proposal will discourage participation in the Hunter Safety Program and have an overall effect of reducing an entire generation of young, responsible conservation minded hunters and sportsmen. We are opposed to this legislation, however we believe that at the very least, those individuals under the age of 21 years old, who have successfully completed the Maryland Hunter Safety Program and have been issued credentials indicating so, should be exempted from this restrictive legislation.

I, as a private citizen of this State, together with the thousands of club members that are the heart of the Western Maryland Sportsmen's Coalition, Inc. **strongly urge you to oppose SB-0086**, Titled: **Rifles and Shotguns – Possession – Age Requirement. (Raise the Age Act Of 2023)**

Respectfully,

Ben Kelkye

Ben Kelkye
President, Western Maryland Sportsmen's Coalition, Inc.
Frederick County Sportsmen's Council
ben@kelkye.com
301 401-6262

Signed: Joe Winter, President, Washington County Federation of Sportsmen's Clubs
 Jerry Zembower, President, Allegany & Garrett County Sportsmen's Association
 Matt Guilfoyle, President, Carroll County Sportsmen's Association

SB86.pdf

Uploaded by: Justin Lee

Position: UNF

My name is Justin from the 6th District. By raising this age you are denying an entire bracket of the adult population access to their rights. These people are allowed to do all sorts of things from driving cars to buying lottery tickets and even serving in the military, yet they are held under suspicion by the state of Maryland to prevent an act which has yet to occur in this state. This law would destroy many collegiate sports as well as the independence of 18-20 year olds who are living on their own seeking to provide for and protect themselves and others. This law would make Maryland an outlier in the country, and not for a good reason.

Ultimately this law is not worth the many tens of thousands it would negatively impact. The crime statistics simply do not support such legislation regardless of any one-off instances made popular by the news. Long gun deaths are a seldom occurrence in this state and 18-20 year olds are not any more prone to acts of violence than any other demographic. If some sort of tragedy were to be caused by the hands of a 21 year old, this entire law would fall flat on its face for the absolute damage it caused while providing no benefit at all to public safety. Would Maryland then continue to raise the age until they reached an acceptable limit? I highly doubt it, so let's not start down that road.

SB86 - Raise the Age Act of 2023 - LOO.pdf

Uploaded by: Kaleigh Leager

Position: UNF



CAROLINECOUNTY
you belong here
CAROLINE COUNTY COMMISSIONERS OFFICE

JAMES TRAVIS BREEDING, PRESIDENT
LARRY C. PORTER, VICE PRESIDENT
NORMAN FRANKLIN BARTZ, III., COMMISSIONER
109 Market Street, Room 123
Denton, Maryland 21629

Senate Bill 86

Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)

Position: **OPPOSE**

Date: February 7, 2023

To: Judicial Proceedings

The Caroline County Commissioners **OPPOSE** SB 86, Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023). Caroline County is a proud agricultural community that has a rich history of hunting, like most rural places in Maryland. SB86 will make that tradition more burdensome and discourage the tradition of hunting in Maryland.

The Commissioners are disappointed in the fact that a study or task force has not been implemented to provide data on the number of violent crimes committed with rifles and/or shotguns in Maryland by individuals under the age of 21, compared to those 21 years and older. This information would provide the data to prove or disprove the theory that less violent crimes will occur within the State of Maryland with a rifle or shotgun if the age to purchase a rifle, shotgun, or ammunition is raised to 21.

The State of Maryland will implement task forces and studies in many matters relating to proposed legislative changes. Such a contested piece of legislation should first be studied in a non-partisan manor. With this, we respectfully request an unfavorable report on Senate Bill 86.

Sincerely,

J. Travis Breeding
President
Caroline County Commissioners

SB0001, SB0086, SB113.pdf

Uploaded by: Karla Mooney

Position: UNF

Judiciary Committee and the Honorable Senator Smith,

I am sending in a written testimony and wish to speak as well on Tuesday February 7th regarding the bills being heard at the Judicial proceedings.

First SB0001 Criminal Law – Wearing, Carrying, or Transporting Firearms- Restrictions (Gun Safety Act 2023)

When I read what this bill says, the determination that now all public places and private places are gun free zones I begin to realize that this law is to say that all citizens who follow the law do not matter. As you can imagine criminals do not follow the law so they will be very happy to have free reign to go where ever they please to use their illegal guns to commit crimes and go unpunished while doing so.

A call to the police when a criminal is pointing a gun at a law abiding citizen could be answered in 20 minutes or so if the police have the staff to do so. But think of the terror of a Mother with her children being held at gunpoint and being robbed or beaten, or worse just so a criminal can get what ever they want. Then if the mother survives, she will know that the criminal might get a slap on the wrist and be out of jail in hours if caught.

The number of Concealed Carry holder in this state is up substantially because it has become a scary place to live, not because the people just want to freely carry a gun. So many of the students I have taught are truly grateful to be able to provide the first response to a threat, rather than wait 20 minutes for some one to come when the threat has done what ever harm they want and is free on the streets to continue going after the unarmed. Everyone's lives matter, not just the criminals' lives.

I request an unfavorable review on SB0001

Second SB 0086 Rifles and Shotguns- Possession- Age Requirements. (Raise the Age Act of 2023)

This bill will definitely end Youth hunting. Maryland has a long tradition of hunting and to limit the possession of log guns to this age group will stop youth hunting completely. This will also stop any of the Youth shooting sports competitions in Maryland. Once again, I see the Legislation written to affect law abiding citizens. This bill is not even a factor in our state. Hunting for food has been passed down for generation – this bill will completely stop it. Please do not pass such a bill in Maryland.

I request an unfavorable review on SB0086

Next SB113 Civil Actions- Public Nuisances – Firearms Industry Members (Gun Industry Accountability Act 2023)

This bill seeks to undermine the Protection of Lawful Commerce in Arms Act (PLCAA), a federal law that shields firearms industry members from frivolous civil lawsuits. Criminals use a firearm is a criminal act – why would you blame someone who follows a huge amount of laws and regulations to participate in legal commerce with the acts perpetrated by a criminal violating the law. Convict criminals whose intention is to break the law – not the law-abiding citizen.

I request an unfavorable report on SB113.

Karla Mooney 21175 Marigold St Leonardtown MD 20650 Maryland State Leader of The DC Project

Maryland State Leader of Armed Woman of America, NRA Multi-discipline Firearms Instructor

Katie_Novotny_UNF_SB86.pdf

Uploaded by: Katie Novotny

Position: UNF

WRITTEN TESTIMONY OF KATIE NOVOTNY IN OPPOSITION OF SB86

February 7, 2023

Senate Bill 86, otherwise known as the “Raise the Age Act of 2023, is an insult to young adults. Either someone is an adult when they turn 18, with all the rights and responsibilities that entails, or they are not. We allow them to vote. If they are so irresponsible as to not be able to handle owning a firearm, surely they are not mentally developed enough for something as important as voting either?

We also allow these people to sign up for the military, take on mountains of college debt, get married, buy homes, rent apartments, purchase cars, start businesses, etc. But yet the bill sponsors want to prevent them from participating in shooting sports without a “qualified instructor” or to be able to hunt without supervision AND permission of a parent or legal guardian. If a person is 18, they have no legal guardian, except in certain instances of disability, and there are MANY reasons why a person would not have contact with their parents to grant such permission. Additionally, suppose the parent refuses to grant permission for no reason other than they disagree with hunting? It is ABSURD to make this a requirement in this bill and is a woefully inadequate attempt by the bill sponsors to defend the argument that this bill kills hunting.

Furthermore, the self defense exception is absurd as well. If they cannot possess a long gun, they would already be in violation if they had access to a long gun. So if they followed this proposed law, they would never have access to a long gun to even use for self defense. It is unacceptable to strip 18-21 year olds of their right to self defense and is blatantly unconstitutional. Shotguns in particular, along with other long guns, are incredibly effective tools for self defense that have always been available to all law abiding adults. Stripping this bloc of individuals of their rights simply because some bad actors disobey a litany of laws to commit violent crimes is repulsive.

Bruen established a new standard of review for second amendment laws, striking down the previous method of interest balancing and requiring a text, history, and tradition test. Under this test, this bill will not withstand scrutiny.

We either acknowledge that people aged 18-21 are adults, or we withhold ALL rights and responsibilities that come with adulthood until age 21. This would include requiring parents to

provide shelter, not allowing them to vote, not allowing them to live on their own, not allowing them to join the military, and so on and so forth. These people do not deserve to be stuck in this limbo where they are expected to behave as adults, but yet are not afforded the same opportunities as those 21 and older.

I respectfully request an unfavorable report.

Katie Novotny

District 35A

Katie.novotny@hotmail.com

speech - Google Docs.pdf

Uploaded by: Kierstyn Rader

Position: UNF

Good (morning or afternoon depends on time). Thank you for allowing me to speak. My name is Kierstyn Rader. I am representing myself but I am a member and officer with The Howard County 4-H Bullseye Club. The bullseye club teaches archery, shotgun, and rifle.

When I was younger, I was extremely committed to competitive swimming. My dream and goal was to be an Olympic swimmer. Unfortunately, a few years ago,

my health forced me to stop swimming competitively. My health issues also prevent me from playing any other physical sport. I'm sure there are other children with similar health issues. I was devastated. My parents and I tried to find a sport I could do. Thankfully, we found the Howard County 4-H Bullseye Club and I found a new passion. My aspirations now are to shoot in the Maryland state rifle match and join a college rifle team. I would like to compete on a college rifle team, but this legislation

makes it a felony to bring a rifle home without my parent's written permission as well as I must have someone over the age of 21 with me. These laws could end youth shooting sports in Maryland. For me, taking away shooting sports is like taking a fish out of water.

I joined the Bullseye Club 4 years ago. I have learned and practiced gun safety, restraint, respect, discipline, focus, and teamwork. My coaches are helpful,

responsible and committed to safety. The bills being voted on will most likely stop my shooting club as well as others in Maryland. I ask that you please consider me and Maryland youth shooting clubs and rework the current bills. I have already lost the ability to swim competitively, and I do not want to lose competitive marksmanship. I feel like these bills will be punishing me.

Thank you for your time and consideration.

MSI testimony on SB 86 18-20 year olds FINAL.pdf

Uploaded by: Mark Pennak

Position: UNF



President
Mark W. Pennak

February 7, 2023

WRITTEN TESTIMONY OF MARK W. PENNAK, PRESIDENT, MSI, IN OPPOSITION TO SB 86

I am the President of Maryland Shall Issue (“MSI”). Maryland Shall Issue is a Section 501(c)(4), all-volunteer, non-partisan, non-profit organization dedicated to the preservation and advancement of gun owners’ rights in Maryland. It seeks to educate the community about the right of self-protection, the safe handling of firearms, and the responsibility that goes with carrying a firearm in public. I am also an attorney and an active member of the Bar of the District of Columbia and the Bar of Maryland. I recently retired from the United States Department of Justice, where I practiced law for 33 years in the Courts of Appeals of the United States and in the Supreme Court of the United States. I am an expert in Maryland Firearms Law, federal firearms law and the law of self-defense. I am also a Maryland State Police certified handgun instructor for the Maryland Wear and Carry Permit and the Maryland Handgun Qualification License and a certified NRA instructor in rifle, pistol, personal protection in the home, personal protection outside the home, muzzle loading, as well as a range safety officer. I appear today in OPPOSITION to SB 86.

The Bill: SB 86 amends MD Code, Public Safety, § 5-134 to provide that “A PERSON WHO IS UNDER THE AGE OF 21 YEARS MAY NOT POSSESS A RIFLE OR SHOTGUN.” The Bill provides exceptions for this ban, stating such possession is permitted if the person is “UNDER THE SUPERVISION OF ANOTHER WHO IS AT LEAST 21 YEARS OLD ... AND ACTING WITH THE PERMISSION OF THE PARENT OR LEGAL GUARDIAN.” Such possession is likewise permitted if the person is 1. PARTICIPATING IN MARKSMANSHIP TRAINING OF A RECOGNIZED ORGANIZATION; AND 2. UNDER THE SUPERVISION OF A QUALIFIED INSTRUCTOR. And possession is permitted if such possession is required by the person for employment and for self-defense against “A TRESPASSER INTO THE RESIDENCE.” A violation of this ban on possession is punishable by imprisonment for 5 years and \$10,000 fine.

The Bill Is Flatly Unconstitutional. Stated simply, 18–20-year-olds have Second Amendment rights under *New York State Rifle & Pistol Association, Inc. v. Bruen*, 142 S.Ct. 2111 (2022), and *District of Columbia v. Heller*, 554 U.S. 570 (2008), as applied to the States under the 14th Amendment in *McDonald v. Chicago*, 561 U.S. 742 (2010). As stated in *Bruen*, “[i]n *Heller* and *McDonald*, we held that the Second and Fourteenth Amendments protect an individual right to keep and bear arms for self-defense. *Bruen*, 142 S.Ct. at 2125. This right extends to all “law-abiding, responsible citizens.” *Bruen*, 142 S.Ct. at 2131. The issue posed by this Bill is thus whether 18-20-year-olds fall within this broad category of “law-abiding responsible citizens” such that a flat ban on all firearm possession is unconstitutional. That question virtually answers itself.

The *Bruen* Court ruled that “the standard for applying the Second Amendment is as follows: When the Second Amendment’s plain text covers an individual’s conduct, the Constitution presumptively protects that conduct. The government must then justify its regulation by demonstrating that it is consistent with the Nation’s historical tradition of firearm regulation.” 142 S.Ct. at 2127. The relevant time period for that historical analogue is 1791, when the Bill of Rights was adopted. 142 S.Ct. at 2135. That is because “Constitutional rights are enshrined with the scope they were understood to have when the people adopted them.” *Id.*, quoting *District of Columbia v. Heller*, 554 U.S. 570, 634–635 (2008). Under that standard articulated in *Bruen*, “the government may not simply posit that the regulation promotes an important interest.” 142 S.Ct. at 2126. Likewise, *Bruen* expressly rejected deference “to the determinations of legislatures.” *Id.* at 2131. *Bruen* also abrogates the two-step, “means-end,” “interest balancing” test that the courts had previously used to sustain gun bans. 142 S.Ct. at 2126. Those prior decisions are no longer good law. So, the constitutionality of SB 1, and SB 118 will turn on this historical analysis, as there is no doubt that the term “keep and bear arms” in the text of the Second Amendment necessarily includes the right to possess (“keep”) and the right to carry (“bear”).

There can be no doubt that possession falls within the text of the right to “keep and bear Arms.” So, the question of whether 18-20-year-olds have such a right of possession is answered by the historical inquiry test set out in *Bruen*. In *Firearms Policy Coalition, Inc. v. McCraw*, --- F.Supp. ---, 2022 WL 3656996 (Aug. 25, 2022), a federal district court struck down, under *Bruen*, a Texas ban on carry of a handgun by 18–20-year-olds. The court focused on the prefatory clause of the Second Amendment, holding that the clause was intended to preclude any elimination of the militia and thus “must protect at least the pool of individuals from whom the militia would be drawn” in 1791. *Id.* The court found that in 1791, “the Militia comprised all males physically capable of acting in concert for the common defense,” noting that “at the time of the founding, most states had similar laws requiring militia service for 18-to-20-year-olds.” *Id.* at *6. The court ruled that “the plain text of the Second Amendment, as informed by Founding-Era history and tradition, covers the proposed course of conduct and permits law-abiding 18-to-20-year-olds to carry a handgun for self-defense outside the home.” *Id.* Adhering to *Bruen*’s admonition that the burden falls on the State in such circumstances, the Court found that Texas “failed to carry its burden” and, therefore, “the law must be enjoined.” *Id.* at 8. Texas initially appealed but has since elected to dismiss its appeal. See *Andrews v. McCraw*, No. 22-10898, Dkt #34 (5th Cir. Dec. 21, 2022) (granting motion to dismiss appeal).

A very similar analysis was employed in *Hirschfeld v. BATF*, 5 F.4th 407, 417 (4th Cir.), *vacated as moot*, 14 F.4th 322 (4th Cir. 2021), *cert. denied*, 142 S.Ct. 1447 (2022), the Fourth Circuit (which includes Maryland) applied intermediate scrutiny and held, pre-*Bruen*, that the federal ban on the sale of handguns to persons between the ages of 18-20, 18 U.S.C. § 922(b)(1), was unconstitutional under the Second Amendment and could not be justified, even under intermediate scrutiny. While the decision issued prior to *Bruen*, the approach followed by the court

remains sound. As noted, *Bruen* abrogated the two-step, means-ends, intermediate scrutiny, holding it was “one step too many.” *Bruen*, 142 S.Ct. at 2127. However, in so holding, the Court also noted that the “first step” of that means-end inquiry was “broadly consistent with *Heller*” in that it demanded an inquiry “rooted in the Second Amendment’s text, as informed by history.” *Id.*

The *Hirschfeld* court conducted exactly that “first step” analysis in holding that “18-to-20-year-olds are protected by the Second Amendment.” 5 F.4th at 418. In so holding, *Hirschfeld* consulted the same “text, structure, history, and practice” considered by the court in *McCraw*, stating that “[w]hen evaluating the original understanding of the Second Amendment, 1791—the year of ratification—is ‘the critical year for determining the amendment’s historical meaning.’” *Id.* at 419, quoting *Moore v. Madigan*, 702 F.3d 933, 935 (7th Cir. 2012) (citing *McDonald*, 561 U.S. at 765 & n.14). In particular, the court focused on the traditions dating back to the Founding era militia laws, which, the court ruled, “illuminate the broader individual right enshrined in the Second Amendment.” 5 F.4th at 424. As the court explained “[e]very militia law near the time of ratification required 18-year-olds to be part of the militia and bring their own arms.” *Id.* at 428.¹ See generally, David B. Kopel & Joseph G.S. Greenlee, *The Second Amendment Rights of Young Adults*, 43 Southern Illinois University Law Journal 495 (2019). The logic of these decisions is irrefutable. Indeed, Tennessee has just consented to the entry of judgment in federal district court overturning its ban on carry by 18-20-year-olds. That consent was filed in *Beeler v. Long*, No. 3:21-cv-152 (E.D. Tenn. 2023).

The holdings in *Hirschfeld* and *McCraw* are obviously applicable, *a fortiori*, to any ban on mere possession of a long gun, which is far more draconian, both in the item covered (long guns vs. handguns) and the restriction imposed (a possession ban, not merely a ban on sales or carry). By any measure a total ban on mere **possession** is the most severe and the least justifiable infringement on the Second Amendment right to keep and bear arms. That was certainly true prior to *Bruen* when courts selected which tier of scrutiny by reference to the severity of the burden imposed on the Second Amendment right. See, e.g., *United States v. Chovan*, 735 F.3d 1127, 1138 (9th Cir. 2013); *NRA v. BATF*, 700 F.3d 185, 198 (5th Cir. 2012); *Heller v. District of Columbia*, 670 F.3d 1244, 1257 (D.C. Cir. 2011).

Under *Bruen*, such severe restrictions are impossible to justify under the text, history and tradition test that *Bruen* makes applicable to Second Amendment challenges. There is simply no well-established, representative historical analogue that could possibly justify a total ban on possession of long guns by 18-20-year-olds. After all, the typical weapon that an 18-year-old would bring to militia training in 1791 would have been a long gun that he already owned. Nor is there any **modern**

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tradition of banning mere possession by persons in this age group. As *Hirschfeld* noted “Congress was careful not to burden use, possession, or non-commercial sales” of handguns. 5 F.4th at 460. Federal law has long permitted the sale to and possession of long guns by 18-year-olds, as 18 U.S.C. § 922(b)(1), just as Maryland law has permitted it. MD Code, Public Safety, § 5-205.

The Bill Is Extreme: *No State* has ever adopted a total ban on mere possession of long guns by all 18-20-year-olds, not even New York, New Jersey or California, jurisdictions at the pinnacle of gun-control. As in other States, eighteen is the age of majority in Maryland and an eighteen-year-old is thus treated as “an adult for all purposes and has the same legal capacity, rights, powers, privileges, duties, liabilities, and responsibilities that an individual at least 21 years old had before July 1, 1973.” MD Code, General Provisions, § 1-401(a)(2). Such persons may freely enlist in the military and be sent to fight (and possibly die in combat) for their country. Such persons may already have purchased and/or legally possess long guns. This Bill would thus require dispossession of such firearms. Enforcement will likely be arbitrary or discriminatory.

Similarly, Maryland hunting licenses are freely available to persons within this age group after obtaining a hunter safety certificate and such persons are free to hunt without supervision. This Bill would effectively ban hunting by 18-20-year-olds. Indeed, *persons under the age of 18* with a hunter safety certificate from DNR may also hunt independently with firearms. That is because existing Maryland law, MD Code, Criminal Law, § 4-104, expressly provides that firearms may be accessed by persons under the age of 16 if they possess a hunter safety certificate issued under MD Code, Natural Resources, § 10-301.1. Such hunter safety certificates are not age limited. Indeed, Section 10-301.1(f)(1) expressly provides that DNR “may issue a 1-year gratis hunting license to a Maryland resident **under the age of 16 years** who has successfully completed a hunter safety course.”

Section 4-104 also provides that a minor may accorded access to a firearm if such access is supervised by a person who is “at least 18 years old.” That provision would be rendered nonsensical by this Bill. Effectively, this Bill would ban hunting with long guns by 18- to 20-year-olds, but not ban hunting by persons under the age of 18 by anyone who has a hunter safety certificate. This Bill contains no exceptions for 18–20-year-olds possessing such a certificate. That result is irrational. The alternative is, of course, to ban possession of all long guns by all persons under 21. That would effectively kill all youth hunting in Maryland, the very activity that DNR seeks to encourage. <https://bit.ly/3DgR4zO>.

Persons between the ages of 18 and 20 may also be completely emancipated from his or her parents and living on their own. Yet, this Bill would require an 18-20-year-old to get the permission of, and possess a long gun only if supervised by, a parent or a “guardian.” The Bill ignores that the parental duty to supervise and provide maintenance ends at the age of majority (age 18), as do guardianships. MD Code, Family Law, § 5-328. The only other item of commerce for which possession by persons 18-20 years of age is banned is alcohol. MD Code, Criminal Law, § 10-114. But as any parent with college-aged children knows, the ban on underage

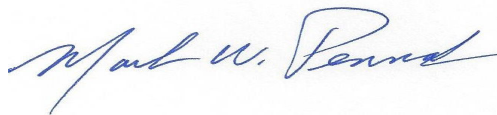
possession of alcohol is seldom enforced and enforcement, when it does happen, **must** be done via a **civil citation**, MD Code, Criminal Law, § 10-119(a)(1)(i), (f), not by imprisonment for up to 5 years and a \$10,000 fine, the punishment imposed by this Bill for mere possession of a long gun that an individual may already own and possess. See *in re Albert S.*, 106 Md.App. 376, 664 A.2d 476 (1995) (holding that arrest of juvenile for possessing an alcoholic beverage was unlawful).

The 5-year imprisonment and \$10,000 fine imposed by this Bill for mere possession by otherwise **law-abiding** 18–20-year-olds is also bizarre because it is substantially **more severe** than the 3-year term of imprisonment that may be imposed for the possession of long guns by a **disqualified person** under the very Maryland law that this Bill amends. See MD Code, Public Safety, § 5-205(d). That result is irrational. The Bill contains no *mens rea* requirement, thus does not require that the illegal possession of a long gun by the otherwise non-disqualified person be knowingly or willfully. The Bill imposes strict criminal liability on such persons, a result that is highly disfavored in the law and utterly unjustifiable in these circumstances where such possession has always been legal under federal and Maryland law and under the law of every other State. See *Lawrence v. State*, 475 Md. 384, 257 A.3d 588, 603-04 (2021) (discussing Supreme Court precedent). This Bill would simply trap the unwary and will undoubtedly be enforced arbitrarily. The personal firearms of new residents 18-20 years of age, including military personnel newly stationed in the State, would now be illegal in Maryland.

The penalty imposed by this Bill would also impose a lifetime firearms disability under both federal and State law. See MD Code, Public Safety, § 5-101(g) (defining disqualifying crime), 18 U.S.C. § 922(g), 18 U.S.C. § 921(a)(20) (providing that any conviction of any State misdemeanor punishable by more than two years is disqualifying). We understand that people differ with respect to firearms. However, a hatred for all things firearms related cannot justify creating a whole new class of criminals in Maryland for simple possession of long guns where such possession has long been permitted under federal law and in every State in the Union.

The Bill is extreme and obviously has not been thought out. It should be withdrawn. If not withdrawn, the Committee should issue an unfavorable report.

Sincerely,



Mark W. Pennak
President, Maryland Shall Issue, Inc.
mpennak@marylandshallissue.org

MSI testimony on SB 86 18-20 year olds FINAL1.pdf

Uploaded by: Mark Pennak

Position: UNF



President
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tradition of banning mere possession by persons in this age group. As *Hirschfeld* noted “Congress was careful not to burden use, possession, or non-commercial sales” of handguns. 5 F.4th at 460. Federal law has long permitted the sale to and possession of long guns by 18-year-olds, as 18 U.S.C. § 922(b)(1), just as Maryland law has permitted it. MD Code, Public Safety, § 5-205.

The Bill Is Extreme: *No State* has ever adopted a total ban on mere possession of long guns by all 18-20-year-olds, not even New York, New Jersey or California, jurisdictions at the pinnacle of gun-control. As in other States, eighteen is the age of majority in Maryland and an eighteen-year-old is thus treated as “an adult for all purposes and has the same legal capacity, rights, powers, privileges, duties, liabilities, and responsibilities that an individual at least 21 years old had before July 1, 1973.” MD Code, General Provisions, § 1-401(a)(2). Such persons may freely enlist in the military and be sent to fight (and possibly die in combat) for their country. Such persons may already have purchased and/or legally possess long guns. This Bill would thus require dispossession of such firearms. Enforcement will likely be arbitrary or discriminatory.

Similarly, Maryland hunting licenses are freely available to persons within this age group after obtaining a hunter safety certificate and such persons are free to hunt without supervision. This Bill would effectively ban hunting by 18-20-year-olds. Indeed, *persons under the age of 18* with a hunter safety certificate from DNR may also hunt independently with firearms. That is because existing Maryland law, MD Code, Criminal Law, § 4-104, expressly provides that firearms may be accessed by persons under the age of 16 if they possess a hunter safety certificate issued under MD Code, Natural Resources, § 10-301.1. Such hunter safety certificates are not age limited. Indeed, Section 10-301.1(f)(1) expressly provides that DNR “may issue a 1-year gratis hunting license to a Maryland resident **under the age of 16 years** who has successfully completed a hunter safety course.”

Section 4-104 also provides that a minor may accorded access to a firearm if such access is supervised by a person who is “at least 18 years old.” That provision would be rendered nonsensical by this Bill. This Bill contains no exceptions for 18–20-year-olds possessing such a hunter safety certificate. That result is irrational. The alternative is, of course, to ban possession of all long guns by all persons under 21. That would effectively kill all youth hunting in Maryland, the very activity that DNR seeks to encourage. <https://bit.ly/3DgR4zO>.

Persons between the ages of 18 and 20 may also be completely emancipated from his or her parents and living on their own. Yet, this Bill would require an 18-20-year-old to get the permission of, and possess a long gun only if supervised by, a parent or a “guardian.” The Bill ignores that the parental duty to supervise and provide maintenance ends at the age of majority (age 18), as do guardianships. MD Code, Family Law, § 5-328. The only other item of commerce for which possession by persons 18-20 years of age is banned is alcohol. MD Code, Criminal Law, § 10-114. But as any parent with college-aged children knows, the ban on underage possession of alcohol is seldom enforced and enforcement, when it does happen, **must** be done via a **civil citation**, MD Code, Criminal Law, § 10-119(a)(1)(i), (f), not

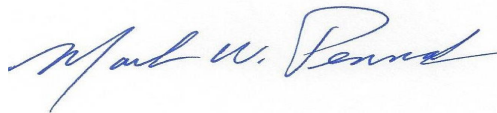
by imprisonment for up to 5 years and a \$10,000 fine, the punishment imposed by this Bill for mere possession of a long gun that an individual may already own and possess. See *in re Albert S.*, 106 Md.App. 376, 664 A.2d 476 (1995) (holding that arrest of juvenile for possessing an alcoholic beverage was unlawful).

The 5-year imprisonment and \$10,000 fine imposed by this Bill for mere possession by otherwise **law-abiding** 18–20-year-olds is also bizarre because it is substantially **more severe** than the 3-year term of imprisonment that may be imposed for the possession of long guns by a **disqualified person** under the very Maryland law that this Bill amends. See MD Code, Public Safety, § 5-205(d). That result is irrational. The Bill contains no *mens rea* requirement, thus does not require that the illegal possession of a long gun by the otherwise non-disqualified person be knowingly or willfully. The Bill imposes strict criminal liability on such persons, a result that is highly disfavored in the law and utterly unjustifiable in these circumstances where such possession has always been legal under federal and Maryland law and under the law of every other State. See *Lawrence v. State*, 475 Md. 384, 257 A.3d 588, 603-04 (2021) (discussing Supreme Court precedent). This Bill would simply trap the unwary and will undoubtedly be enforced arbitrarily. The personal firearms of new residents 18-20 years of age, including military personnel stationed in the State, would now be illegal in Maryland.

The penalty imposed by this Bill would also impose a lifetime firearms disability under both federal and State law. See MD Code, Public Safety, § 5-101(g) (defining disqualifying crime), 18 U.S.C. § 922(g), 18 U.S.C. § 921(a)(20) (providing that any conviction of any State misdemeanor punishable by more than two years is disqualifying). We understand that people differ with respect to firearms. However, a hatred for all things firearms related cannot justify creating a whole new class of criminals in Maryland for simple possession of long guns where such possession has long been permitted under federal law and in every State in the Union.

The Bill is extreme and obviously has not been thought out. It should be withdrawn. If not withdrawn, the Committee should issue an unfavorable report.

Sincerely,



Mark W. Pennak
President, Maryland Shall Issue, Inc.
mpennak@marylandshallissue.org

testimony.pdf

Uploaded by: Mathew Kyser

Position: UNF

Mathew Kyser

908 S Pine Ridge Ct

Bel Air, MD 21014

Mat@thekyserfamily.com

Hello, I am writing to voice my opposition to this bill. I am an IT professional with a wife and children that have lived in Maryland their whole lives. I believe our second amendment rights should not be infringed and this bill, and bills like it, will only inflict harm on law abiding citizens.

Criminals are going to disregard this bill like they do the laws currently in affect. We don't need more laws that inhibit the freedom of law-abiding citizens. We need to prosecute habitual criminals who are already breaking laws with impunity.

Thank you,
Mathew Kyser

SB 86 TESTIMONY OF MICHAEL F BURKE.pdf

Uploaded by: Michael Burke

Position: UNF

WRITTEN TESTIMONY OF MICHAEL F BURKE, IN OPPOSITION

TO SB 86

In introduction, please be informed that I am a Veteran, with 21 years of Service with the US Army, as a Military Police Office, MP Investigator, and Counterintelligence Agent. Beyond that, I have more than 25 years of experience as a County, State, and federal Law Enforcement Officer and Special Agent. I am an expert in Maryland Firearms Law, federal firearms law and the law of self-defense. I am also a Maryland State Police certified handgun instructor for the Maryland Wear and Carry Permit and the Maryland Handgun Qualification License and a certified NRA instructor in pistol, as well as a Chief Range Safety Officer. I am also a member of Maryland Shall Issue ("MSI"). Maryland Shall Issue is a Section 501(c)(4), all-volunteer, non-partisan, non-profit organization dedicated to the preservation and advancement of gun owners' rights in Maryland. It seeks to educate the community about the right of self-protection, the safe handling of firearms, and the responsibility that goes with carrying a firearm in public. I appear today in opposition to SB 86.

SB 86 would raise the age of possession of ordinary long guns to 21, threatening every young adult in Maryland with criminal prosecution for keeping arms and effectively ending hunting by such persons unless they are "under the supervision" of someone 21 or older AND have the permission of a parent. A violation of this ban on possession of a long gun is punishable by 5 years in prison. The bill also bans the mere sale or transfer of ammunition (of any type) to a person under 21 and a violation of that provision is punishable by a year in prison.

As a teenager myself, I carried a rifle, a machine gun, AND a handgun as a soldier and Military Police officer from age 18 to 21. I was also issued a grenade launcher. I was entrusted by the US and State governments to stand watch and to go to war for all of those years.

If the sponsors were seriously concerned about the decision-making abilities of citizens between the ages of 17 and 22, why don't they ban these youths from driving? Why are they permitted to Register and VOTE, if they can't be trusted with a rifle or shotgun?

The US Constitution affirms (not grants) the right of the PEOPLE (not just citizens, not just adults) to keep and bear arms. This proposed legislation flies in the face of the Constitution and is in direct contravention of the orders of the Supreme Court.

I bring your attention to the decision in the Supreme Court in June of 2023. NEW YORK STATE RIFLE & PISTOL ASSOCIATION, INC., ET AL. v. BRUEN, SUPERINTENDENT OF NEW YORK STATE POLICE, ET AL.

"...The constitutional right to bear arms in public for self-defense is not "a second-class right, subject to an entirely different body of rules than the other Bill of Rights guarantees." McDonald, 561 U. S., at 780 (plurality opinion). We know of no other constitutional right that an individual may exercise only after demonstrating to government officers That is not how the First Amendment works when it comes to unpopular speech or the free exercise of religion. It is not how the Sixth Amendment works when it comes to a defendant's right to confront the witnesses against him. And it is not how the Second Amendment works when it comes to public carry for self-defense. New York's proper-cause requirement

violates the Fourteenth Amendment in that it prevents law-abiding citizens with ordinary self-defense needs from exercising their right to keep and bear arms. “

As in Bruen, the State of Maryland does not have the authority to restrict, limit, or infringe upon the rights of free citizens merely because of their age.

While it is true that the Sponsors are concerned about crime and criminal activity, existing State and federal laws already address wrongful and dangerous acts by ALL citizens. This ban on an existing right is unsupported by text, history and tradition in past US legislation. It cannot survive judicial review under ***Marbury v. Madison*, 5 U.S. 137**, a landmark U.S. Supreme Court case that established the principle of judicial review in the United States, meaning that American courts have the power to strike down laws and statutes that they find to violate the Constitution of the United States.

sb0086.pdf

Uploaded by: Mike Zaloudek

Position: UNF

I am opposed to SB 0086.

There are several reasons why the age requirement for purchasing rifles and shotguns should not be raised to 21. Firstly, the right to bear arms is protected by the Second Amendment of the United States Constitution and any attempt to restrict access to firearms for law-abiding citizens would infringe upon this constitutional right. Secondly, raising the age limit for purchasing rifles and shotguns would not effectively address the issue of gun violence, as individuals under the age of 21 who intend to commit criminal acts could obtain firearms through illegal means. Thirdly, individuals over the age of 18 are considered adults under the law and have the right to make decisions regarding their personal safety and the protection of their property. This includes the right to purchase and possess firearms for self-defense and hunting purposes. Fourthly, raising the age limit for purchasing firearms would disproportionately affect individuals who live in rural areas, where hunting is an important cultural and economic activity, and where access to firearms for self-defense may be especially important. In conclusion, the focus should be on enforcing existing laws and addressing the root causes of gun violence, rather than restricting the rights of law-abiding citizens who are over the age of 18.

I urge you to vote unfavorable on SB0086

Mike Zaloudek

Severna Park, MD

Oppose SB-86.pdf

Uploaded by: Nicholas Andraka

Position: UNF

I oppose SB-86

I live in rural Maryland.

All of my Children have grown up hunting on our property and when they turned 16 hunted.

My son who is 20 is an active hunter.

This law would ban anyone under 21 from hunting without direct adult supervision,, this is in direct contradiction of current hunting laws and traditions.

Maryland has a long history of hunting and youth hunting, this is a direct slap in the face to all of Maryland's legal gun owners and hunter.

What issue/problem with youth and young adult hunters is this law trying fix?

For these reasons I oppose SB-86

Nicholas Andraka

5725 Saint Johns Chapel Rd

Owings, MD 20736

SB0086_Nicholas_DeTello.pdf

Uploaded by: Nicholas DeTello

Position: UNF

Nicholas DeTello

SB0086 - Age Requirement (Raise the Age Act of 2023)

Unfavorable

2/6/2023

As a Maryland constituent, I am concerned with the viability as well as the effects caused by SB0086. As written, this bill would imprison otherwise law-abiding 18–20-year-olds for 5 years, with up to \$10,000 in fines. This penalty is overly harsh for what has long been lawful activity since this nation's founding, both in federal law, and in every State of the Union. It's also bizarre since this punishment is far more severe than the existing law this bill amends, which only has a 3-year imprisonment for a **disqualified person** (someone who **disqualified themselves** from possessing a firearm).

Clearly the authors of this bill are not acting in good faith and their motives should be questioned. Additionally, per my explanation in my Unfavorable testimony of SB001, bills like this one punish those who are less fortunate than myself, with struggles I cannot imagine as someone who has not experienced bigotry, or growing up in a neighborhood stricken by crime, and thus additional interactions with law enforcement. This bill will target those most likely to need a long gun for self-defense, as well as those most likely to be targeted unfairly by law enforcement.

For these reasons I urge an unfavorable report of Senate Bill 0086.

A handwritten signature in black ink that reads "Nicholas DeTello". The signature is written in a cursive, flowing style.

Nicholas DeTello

District 44B

ndetello@hotmail.com

Testimony SB86.pdf

Uploaded by: Noah Sann

Position: UNF

Judicial Proceedings Committee
Noah Sann
February 6th, 2023
Testimony in Opposition of SB86

Members of the Committee,

I am a 22-year-old resident of Baltimore City urging your opposition to this bill for the following reasons.

I see this bill in a personal way due to my own situation as a 20-year-old in Baltimore City 2 years ago. I purchased a rifle for home defense after a neighbor in my apartment complex had his home invaded at 3 am, resulting in him being murdered. I felt the need to have the means to protect myself in my home and had the ability to purchase a rifle.

I had gotten previously gotten firearm safety training and went to get my background check completed at a gun store. My background check came back clean as I had no criminal record. I bought my rifle and then had it for home defense.

Despite age, everyone should have the ability to defend themselves. And with the large need of self-defense in Baltimore city due to high rates of violence, people will find a way regardless. Having the lawful means of gun ownership for self-defense for 18-to-20-year old's is important because when left in desperation, people may go the route of illegally buying guns for protection. This bill may result in disproportionately high rates of incarceration of 18-to-20-year old's who are seeking to defend themselves and their families. Legal means of firearm ownership for self-defense for the 18 to 20 year old population must remain intact.

Due to these reasons, I urge your opposition to this bill. Thank you for your consideration.

Noah Sann
443-631-6151

Senate Hearing.pdf

Uploaded by: Randall Morris

Position: UNF

SB1 Restricting Wear and Carry

I am not in favor of this bill as it is unconstitutional to its core and goes against everything that came out of the Bruen Case heard before the Supreme Court.

SB86 Restricting Adults from 18 to under 20

I am not in favor of this bill, this bill is so clearly unconstitutional and an intentional violation of the rights of adults 18 to 20 years old in that it totally denies them the right to buy any firearm to protect themselves, their families and ability to obtain food through lawful hunting. This bill would not even be before this committee if it took away their right to vote and I want this committee to think about this bill if it were, because it is taking away a Constitutional Right

SB113

I am not in favor of this bill, this bill is absurd and would force FFL dealers to shutdown or have to pay ridiculous insurance that would be passed onto lawful customers. It would seem that the intent of this bill is only to such that.

Would this committee even consider this bill if it was holding car companies, car dealerships and car salesman accountable if a buyer got into an accident intentionally or not.

SB118

I am not in favor of this bill, those that carry legally should not be restricted to what places of business or homes that don't like firearms, the permit holder should be under no obligation to inform anyone of the general public of whether or not they are carrying, nor should any anti-2nd Amendment Policy be enforced by State Law that would clearly be unconstitutional as per the Bruen case heard before the Supreme Court.

SB 185

Unfavourable as it was just found to be unconstitutional

SB0086 Rifles and Shotguns Possession Age Requirem

Uploaded by: Randolph Sena

Position: UNF

February 1, 2023

Randolph Sena

Hughesville Maryland 20637

To: Maryland General Assembly

Subject: SB0086 Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)

SBOO86 is simply unconstitutional and discriminatory on the bases of age, and inconsistent with federal law. The imminent litigation this bill will bring at the cost of taxpayers, will not withstand the Court scrutiny of two questions: “one, does the Second Amendment’s plain text cover the challenged provision? And two, does historical evidence support the restriction?”.

Does the Second Amendment’s plain text cover the challenged provision? 2A “the right of the people to keep and bear Arms, shall not be infringed.” to enact this bill removing constitutional protected right from citizens is unconstitutional. This is reaffirmed by MD general provisions 1-401 that provided 18-year-old adults the same legal capacity, rights, powers, privileges, duties, liabilities, and responsibilities that an individual at least 21 years old had before July 1, 1973.

Does historical evidence support the restriction? The Gun Control Act of 1968 established a national baseline 18 for long guns and 21 for handguns; has continued to remain in effect and has not been affected by MD general provisions 1-401. Through our history During the Revolutionary War The official enlistment age for the Continental Army was 16, (15 with parental consent). Children over the age of 7 under MD statue of law can be charged as adults. MD Wear and Carry Permits are issued to any adult (18 years of age or over). Clearly historical evidence shows that SBOO86 cannot meet this historical evidence test to support a restriction.

Respectfully request you vacate this bill and protect our citizen’s rights.

Sincerely,

Randolph Sena

SB0086_Aughenbaugh.pdf

Uploaded by: Ron Aughenbaugh

Position: UNF

Senate Bill 0086
Rifles and Shotguns – Possession – Age
Requirement (Raise the Age Act of 2023)
Oppose

Mr. Chairman and members of the Judicial Proceedings Committee,

I have thoroughly read the proposed bill.

At the age of 18 a person can be drafted for war, vote in elections, be charged as an adult for a crime and purchase a home. How is that person supposed to protect themselves and their homes if they can not purchase or own a firearm? Raise the voting age to 21 years old and then get back to me.

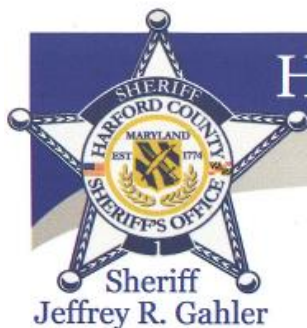
I OPPOSE SB0086. Vote **UNFAVORABLE** to this proposed bill.

Ronald Lee Aughenbaugh II (D, 7A)
6 Nickel Court
Middle River, Md. 21220
301-338-8300
02/04/2023

SB 86 Rifles and Shotguns Possession Age Require

Uploaded by: Sheriff Jeff Gahler

Position: UNF



HARFORD COUNTY SHERIFF'S OFFICE

COURAGE HONOR INTEGRITY

Senate Bill 86 – Oppose

Rifles and Shotguns – Possession – Age Requirement

Letter of Opposition to the Senate Judicial Proceedings Committee

February 7, 2023

Mr. Chairman and Members of the Committee, I write today to oppose Senate Bill 86 as an overreaching and unconstitutional impediment on the rights of citizens under the age of 21 to keep and bear arms.

As the elected Sheriff of Harford County with over 38 years of experience in law enforcement and public safety, I believe it is the right of all law-abiding citizens to own firearms.

Many Maryland politicians will tout the “success” of legislation such as the Firearms Safety Act of 2013 and are not shy to falsely espouse such efforts as “common sense” gun safety laws. It is telling that they stand by these claims even in the face of unprecedented levels of violence committed in our State by career criminals who have no interest in abiding by any rules imposed by our legislature.

Looking at the ten years since the Maryland Gun Firearms Safety Act became law, we need only look at homicides in Baltimore City, which continues to increase going from a low of 197 in 2011 to an average of 340 per year for each of the last five years, to see legislation targeting firearms does not work. I would like to add this increase in homicides has occurred while the population of the city has decreased year after year.

These “gun safety” measures have had no effect addressing the problem of crimes committed with firearms in our state, yet we are here again this year



introducing legislation, similar to those measures from 2013, that target law-abiding citizens, infringe on constitutional rights and do absolutely nothing to address the real problem- which are the criminals committing violent crimes with firearms.

If this legislative body is serious about reducing the number of homicides and non-fatal shootings, we must focus our attention on holding the criminals who are committing these acts of violence accountable, not an 18-year-old who wants to purchase and legally possess a firearm and ammunition for sport, personal protection, hunting, their collection, or whatever their interest might be.

The latest available FBI Uniform Crime Reporting Data (2020) for Maryland showed there were a total of 573 murders in Maryland, 468 by handgun and 68 by knives in 2019. This compared to 15 individuals murdered by a rifle and four by a shotgun during the same calendar year.

Looking at historical FBI Uniform Crime Reporting Data (2010 - 2014) for the entire Country shows this is not an anomaly, but more of the norm. For this five-year snapshot, rifles and shotguns combined accounted for less than 5% of the total murders committed in our Nation. For each of these years, knives averaged 13%, hands and feet (personal) averaged 5.6% and blunt objects averaged 4%. All of these present higher threats to public safety by percentage than a shotgun or a rifle.

It's clear that additional regulations and age restrictions on rifles and shotguns are nothing more than hollow gestures that will do nothing to improve public safety in Maryland.

I urge the members of the committee to issue an unfavorable report on SB 86.

Sincerely,

Sheriff Jeffrey R. Gahler

SB86 UNFAVORABLE - Stephen Johnston.pdf

Uploaded by: Stephen Johnston

Position: UNF

Stephen Johnston

1003 Tasker Ln.
Arnold MD 21012
SteveJohnston93@gmail.com

February 7, 2023

SB86 – Rifles and Shotguns – Possession – Age Requirement
Unfavorable

I am a defense contractor whose current and prior employers include one of the top research laboratories in the United States and one of the leading aerospace corporations in the world. In my spare time I enjoy shooting sports, volunteering in the community, watchmaking, and woodworking. I write in opposition to SB86, a bill that would place many adults between the ages of 18-20 in a predicament of not being able to continue to possess the rifles and shotguns they already own.

The wording of the bill would criminalize the continued ownership of a rifle or shotgun that a Maryland resident between the ages of 18-20 already owned before this bill goes into effect. They would be faced with either legally transferring a firearm to a third party (needing to go through a gun store and pay a heavy transfer fee) or to sell their rifle or shotgun at a loss to whatever gun store may be willing to buy it. The end result would be stripping adults under the age of 21 of their self defense rights as well as the ability to hunt, competitively shoot in events, or practice their skills for recreation.

Similarly, this bill exempts very few circumstances where a person under 21 may be in possession of a rifle or shotgun. One of them being the temporary possession when a person is “1. PARTICIPATING IN MARKSMANSHIP TRAINING OF A 3 RECOGNIZED ORGANIZATION; AND 2. UNDER THE SUPERVISION OF A QUALIFIED 5 INSTRUCTOR.” This exemption makes no consideration for a parent and their adult child going target shooting for recreation, shooting in a competition, hunting, or even any formal or informal training without a “qualified instructor.” This bill also does not outline who a “qualified instructor” is. Is it one who holds a certification as an instructor by Maryland State Police? Or could it be an instructor from a nationally recognized group such as the National Sport Shooting Association?

This bill would eviscerate sport shooting and the development of valuable firearm safety skills for anyone under the age of 21 save for very few exemptions. I know that if this bill was in effect when I was first learning gun safety and target shooting, I'd be at a great disadvantage to learn and gain practical experience. Similarly, I would not have been able to participate in any competitions or even keep my skills up to be competitive in the first place. A large number of students and athletes' scholarships even depend on shooting ability. There are national scholarships for sport shooting as

well as for sports like biathlon. This bill would deny those athletes the ability to compete with students in other states.

For these reasons, I must urge you give an unfavorable report to this bill. If it were enacted into law, the State would be barring a subset of adults from exercising a right, continuing to possess firearms they already own, and enjoying any shooting sports or hunting.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Steve Johnston", with a stylized, cursive script.

Stephen Johnston
1003 Tasker Ln.
Arnold MD 21012
SteveJohnston93@gmail.com

01.31.23 LOO SB 0086 Joint.pdf

Uploaded by: Terry Hale

Position: UNF

Danielle Hornberger
County Executive

Steven Overbay
Acting Director of Administration

Office: 410.996.5202
Email: dhornberger@ccgov.org



Jackie Gregory
Council President

Robert Meffley
Vice President

Office: 410.996.5201
Email: council@ccgov.org

CECIL COUNTY GOVERNMENT
Cecil County Administration Building
200 Chesapeake Boulevard, Elkton, MD 21921

January 30, 2023

The Honorable William C. Smith, Jr.
Senate Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

RE: SB 0086 Rifles and Shotguns – Possession – Age Requirements (Raise the Age Act of 2023)
Letter of Opposition

Dear Chairman Smith and Members of the Senate Judicial Proceedings Committee:

The County Council and the County Executive of Cecil County unanimously opposes SB 0086 Rifles and Shotguns – Possession – Age Requirements (Raise the Age Act of 2023). The hearing on this legislation is scheduled for February 7, 2023.

It is our understanding that this legislation is altering the prohibition on selling, renting, or transferring certain ammunition to a person under the age of 21 years; and prohibiting a person who is under the age of 21 years from possession of a rifle or shotgun except under certain circumstances.

Cecil County strongly opposes any bill that removes the right for any adult to own or purchase ammunition for any legally owned rifle or shotgun. The 2nd Amendment of the United States Constitution expressly grants this right to all citizens of the United States and any legislation that impinges upon this right and attempts to criminalize our law-abiding citizenry needs to be defeated.

The County Executive and County Council of Cecil County respectfully requests that the Judicial Proceedings Committee send an unfavorable report on SB 0086.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hornberger".

Danielle Hornberger
County Executive

A handwritten signature in blue ink, appearing to read "Jackie Gregory".

Jackie Gregory
President of County Council

kasuba_sb0086_2023.pdf

Uploaded by: Thomas Kasuba

Position: UNF

Please **OPPOSE** SB86
Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)

Just last year, the Ninth Circuit court struck down a California law banning persons under 21 years of age from purchasing centerfire semi-automatic weapons as “a severe burden” on core Second Amendment rights. [1] I recommend reviewing the *Jones v. Bonta* case to show how off the mark SB86 is. [2]

In a more recent settlement in Tennessee, 18 to 20 can now openly carry firearms. In this settlement, 18 to 20 year olds can obtain concealed carry handgun permits also. This ruling was about handguns too, not just the more common hunting, sporting and defensive rifles and shotguns. This article [3] is dated 1/25/2023. I would also like to emphasize the piece in the article that says the Firearms Policy Coalition, who brought the suit, was awarded \$47,250 in attorney's fees.

Please withdraw this bill; do not burden the Maryland taxpayer with the eventual attorney fees that will result if this is litigated.

Thomas J. Kasuba (registered Democrat)
2917 Rosemar Drive
Ellicott City, MD 21043-3332
tomkasubamd@netscape.net
301-688-8543 (day)
February 7, 2023

[1] <https://news.yahoo.com/ninth-circuit-tosses-california-law-113947627.html>

[2]

https://assets.nationbuilder.com/firearmspolicycoalition/pages/5345/attachments/original/1673918177/Jones_v_Bonta_103_MPI.pdf?1673918177

[3] <https://tennesseestar.com/2023/01/25/court-settlement-lowers-tennessee-concealed-carry-age-to-18/>

20230206134157.pdf

Uploaded by: William Turner

Position: UNF

**SB0086 RIFLES AND SHOTGUNS - POSSESSION- AGE
REQUIREMENT**

My name is William Turner. I live in Cambridge, MD. I am opposed to this bill because this will do nothing to deter crime or gun violence.

I am the father of four. Two of my sons are grown but they both hunted on our property without my direct supervision before there 21st birthdays. I have a 16 year old son and a 14 year old daughter who hunt and will be effected by this bill. They all passed hunters education around 8-10 years old. They all have spent many hours with me at the range and in the field hunting before they hunted solo. I too began hunting at an early age, as well as, many other in the state.

Also, I find it insulting as a veteran who served and carried a weapon at 18 years old to now tell the young men and women of Maryland that you can risk your life and carry a weapon to serve this country but can't purchase a weapon for your own use until you are 21 years old.