

2-5-2023

Senator Jeff Waldstreicher, and Members of the Committee
 Maryland General Assembly
 Judicial Proceedings Committee (Vice Chair)
 Annapolis Info
 2 East Miller Senate Office Building
 11 Bladen Street
 Annapolis, MD 21401

RE: SB-0001 Criminal Law - Wearing, Carrying, or Transporting Firearms - Restrictions (Gun Safety Act of 2023)
 Position: Unfavorable - OPPOSE

Dear Senator Waldstreicher and Members of the Committee:

Disclaimer: The opinions expressed herein are my own and do not in any way, shape, manner, or form represent the opinion, interests, or position of any other individual person, corporation, public or private for or not for profit agency or professional organization. The opinions and testimony expressed are based upon my personal experiences, and interactions with other people including but not limited to the Maryland State Police Licensing Division, the District and Circuit Courts of Maryland, and Public and Private Agencies including the Maryland General Assembly.

I, as a Licensed Certified Social Worker-Clinical am very familiar with the Concealed Carry and Wear permitting process in Maryland. I have provided forensic services, and have evaluated many people over the years including CCW permit holders and law enforcement officers. I wish to publicly thank the Maryland State Police Licensing Division for the excellent work all the personnel provide and the concern they have for public safety.

In prior years, when a person, who possessed a concealed carry and wear permit (CCW), and was in possession of a firearm, entered a public building, including the Court, and the Maryland General Assembly, there was a procedure in place to accommodate that permit holder.

The CCW permit holder would identify him or herself, and would be escorted to a secure "lockbox" where the firearm would be placed, and upon leaving, would again identify him or herself and would retrieve the firearm. Now, that "accommodation" is no longer available. Now, the lawful permit holder, carrying the weapon due to apprehended danger, such as a retired public safety officer, community forensic counselor, private detective, etc. with an unrestricted permit, has to either leave the weapon at home, or office, or if carrying leave it in his or her vehicle. It is not possible to bring it into the building.

This bill is even more restrictive, it will now make it illegal to even leave the gun in the vehicle, locked in the trunk, subject to theft, if someone notices the individual disarm and placing the weapon in the trunk of the vehicle, when the vehicle is parked on the public parking lot within 100 feet of the building. It also makes it illegal for the CCW holder to drive on a parking lot, let alone enter a building, such as a 7 Eleven or Subway, Mc Donald's, etc. to eat lunch or dinner while working again unless the person disarms and leaves the weapon in the vehicle.

A lawful CCW permit holder, must be allowed to engage in protection of self and if need be others in the normal course of activities of daily living due to the apprehended danger, inherent, in the reason the Maryland State Police made the decision to issue to CCW permit.

Further, **this proposed legislation will not deter the unlawful possession of a firearm.** There are other methods of detecting and preventing illegal carrying of a firearm. For one, training police and security officers' to detect bulges and signs of "imprinting" of the firearm though clothing. Then, under the precedent set in Terry vs. Ohio (SCOTUS) (reasonable suspicion) ask to search or have the person show why the firearm imprint is present. Of course, one may say that is not sufficient (probable cause) to stop the person; but I think if the person is entering a public building, such as a school or court, or if a private business has a sign no firearms permitted, I think it is appropriate for a police officer or security person to ask that question (The AAG for the Committee is in the position to research it).

Sincerely,

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