
WRITTEN TESTIMONY OF KATIE NOVOTNY IN OPPOSITION OF
SB001

February 7, 2023

Senate Bill 1, otherwise known as the “Gun Safety Act of 2023” is an absurd attack on the rights of lawful firearms owners. Nothing about this bill will make anyone safer. This is simply a knee-jerk reaction to the Bruen decision by those whose delicate sensibilities are offended by even the *possibility* of being in close proximity to a firearm while out in public. The rights of individuals are not to be eroded based on the feelings of others. Someone simply being *uncomfortable* is not an adequate reason to deny a right. In fact, the Bruen decision soundly rejects the interest balancing method previously used to decide if a gun control law was constitutional. Instead, it replaces with a plain text and historical tradition test. There simply is no historical analog to banning firearms in any place of public accommodation, and especially not to banning them within 100 feet of such locations. The Bruen decision lays out 5 locations with known historical analogs where prohibitions are permitted. Places of public accommodation are not amongst them. Furthermore, it was stated in the decision that states could not make entire areas off limits, such as restricting firearms from Manhattan. That is exactly what this bill proposes to do. Even in news conferences, the bills sponsor states that citizens would still be able to carry in their own homes, and in homes of others with permission. Sen Waldstreicher is not even attempting to hide the fact that this eliminates a functional system in which a person may wear and carry a firearm. In fact, that is a feature, not a fault, to gun control activists. This is blatantly unconstitutional.

Prior to the Bruen decision, a massive majority of the country had liberal permitting processes known as “shall issue” or even permitless carry. Having a large number of legally armed citizens moving throughout the community is not unusual or dangerous. Because of the expansion of the ability of people to obtain permits to wear and carry firearms, we have data proving that concealed carry permit holders do not contribute to crime. The January 2019 study published by the American College of Surgeons found this conclusion: “This study demonstrated no statistically significant association between the liberalization of state level firearm carry legislation over the last 30 years and the rates of homicides or other violent crime. Policy efforts aimed at injury prevention and the reduction of firearm-related violence should likely investigate other targets for potential intervention.”

<https://www.sciencedirect.com/science/article/abs/pii/S107275151832074X>

There is data available for many states crime rates for before and then after the introduction of shall issue permitting. Florida, and especially Dade County, tracked crime rates and other relevant data from the time they enacted carry reform in 1987 until August 31, 1992. They stopped at that point because it was clear there was no need to continue because of how rare incidents with permit holders were. The numbers from this study were as follows: A total of 6 permit holders were convicted of perpetrating crimes with firearms; Just 13 permit holders used their firearms to thwart or attempt to thwart crimes; and there was no known incident of a permit holder intervening in an incompetent or dangerous manner, such as shooting an innocent bystander by mistake. This data was taken from the study titled "Shall Issue": The New Wave of Concealed Handgun Permit Laws" <http://www.davekopel.org/2A/LawRev/Shall%20Issue.pdf>

As of 2022, Maine, Vermont and New Hampshire were rated as the three safest states, and they are all Constitutional Carry. From 2014 to 2018, Illinois had an average of over 189,000 active permits. Over that same period, no one had been convicted of committing a crime with their permitted concealed handgun. <https://crimeresearch.org/2018/06/illinois-more-evidence-that-concealed-handgun-permitsholders-are-extremely-law-abiding/> In 2017, Milwaukee, Wisconsin's police union president stated that they had not arrested even one permit holder since they went shall issue in 2011.

Studies also show that concealed carry permit holders are more law abiding than even police officers. <https://www.dailywire.com/news/report-concealed-carry-permit-holders-are-most-law-abiding/> Firearms violations rates for police officers are at 16.5 per 100,000. In Texas and Florida, for permit holders, that rate is only 2.4 per 100,000.

Even pre-Bruen, when Maryland was operating under a may-issue permitting scheme, people were able to obtain handgun permits for the purpose of defending their place of worship. It requires no links to a study or news article. We have all heard of attacks on synagogues, churches, and mosques. This bill would strip these people of their defense to such attacks, which was recognized as valid, even BEFORE the Supreme Court found "good and substantial" reason requirements unconstitutional. Furthermore, it strips victims of domestic abuse, those with threats against them, and other vulnerable people, of their means of self defense, while offering no guarantee of safety. The police have no duty to protect, and it is well documented that do not contact orders rarely are effective at preventing harm. This law will not stop someone intent on doing harm. They will simply ignore the law, and use it as an opportunity to attack unarmed people. 97.8% of mass shootings occur in gun free zones.

As of Jan 3, 2023, there were over 1.5 million license to carry permits active in Pennsylvania, out of a state population of about 12.8M. To our south, Virginia has issued about 685K license, out of a state population of 8.6M. The bottom line is, with the large percentages of permit holders in these states, if issuing handgun permits created a wild west situation, we would be surrounded by violence to our north and south. Instead, members of this body wish to ignore statistics and data and eviscerate the right of citizens to armed self defense in this state. Leaving us as sitting ducks to violent crime which is spiraling out of control, with no solutions in sight other than further restricting the rights of peaceful and lawful gun owners.

I respectfully request an unfavorable report.

Katie Novotny

District 35A

Katie.novotny@hotmail.com

[443-617-7568](tel:443-617-7568)