



State's Attorney for Montgomery County

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February 27, 2023

The Honorable Luke Clippinger
Chairman, House Judiciary Committee
House Office Building, Room 101
Annapolis, Maryland 21401

Re: HB 704- Firearm Location Tracking Technology

Dear Members of the House Judiciary Committee:

My name is John McCarthy, the State's Attorney for Montgomery County, Maryland. I am writing to this committee to express my full support in regards to the pending bill HB 704: Firearm Location Tracking Technology. This bill is aligned with our office's long standing policies concerning firearms in Montgomery County. HB 704 proposes to enable owners of bulk gun inventory to quickly recover stolen or loss merchandise before these guns are used in a crime. Ultimately, HB 704 seeks to deter gun trafficking and straw purchasing of firearms. HB 704 seeks to enforce a proven method of using radio frequency identification (RFID) technology to locate stolen firearms from bulk purchases. RFID technology has been used by the US military since World War II and its popularity within other law enforcement or governmental agencies has only grown since its creation.

The provisions outlined in HB 704 do not violate any federal or state laws. Currently, federal law requires licensed firearms dealers to report the loss or theft of any firearm from the dealer's inventory to the U.S. Attorney General or local law enforcement within 48 hours of discovering the loss or theft. Maryland law, which applies to handguns and assault weapons, requires reporting to local law enforcement within 72 hours of discovering the loss or theft of certain firearms.

Although the Firearm Owners Protection Act (FOPA) of 1986 has prohibitions against the establishment of a national gun registry by federal law enforcement which makes it illegal for the national government or any state to keep any sort of database or registry that ties firearms directly to their owner, the FOPA does not prohibit manufacturers from registering the serial number of a firearm along with the sensor ID. It is the sensor ID that will be used to track the location of the gun, not the gun owner.

Studies show that guns are lost or stolen from an individual owner every two minutes.

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To help express the importance of this bill and to show the impact of this statistic within our community, Montgomery and Anne Arundel County in the fall of 2022 witnessed a series of burglaries at local gun stores. In one of these burglaries at least 12 firearms were stolen.

Once again, I praise the effort to address these significant issues and urge a favorable report on the passage of this bill. If there are any questions or concerns, please feel free to reach out to our office.

Sincerely,

A handwritten signature in black ink that reads "John McCarthy". The signature is written in a cursive style with large, fluid loops.

John McCarthy
State's Attorney for
Montgomery County, Maryland

Cc: Del. Pamela Queen