

Testimony in Opposition to SB1

My name is Daniel Sangaree and I'm a Democrat living in Montgomery County. I'm writing today in opposition to SB1. This bill proposes a two-and-a-half-fold increase to the number of prohibited places for legally carrying a firearm from 11 to 28.¹ The sponsor, Senator Waldstreicher, has offered no evidence that there is a problem with permit holders carrying in these areas. What justification he does provide is about guns being stolen from permit holders and being used in crimes. Analysis from Everytown for Gun Safety shows that 52% of stolen guns are stolen out of cars and 48% of those are stolen while the car is in a parking lot or on the roadside. As people will be forced to lock their guns in their cars to enter prohibited places, this bill will actually make the primary problem identified by the Senator worse, not better.²

I'm sure many others will address these points in their testimony, so instead I'll focus on this: **as a gay man I think SB1, and particularly its prohibition of places where alcohol is served, makes the Queer community less safe.**

The reason I point to this prohibited place in particular as making the Queer community less safe is because it will disarm us in our primary meeting spaces despite the clear threats to our safety. We're not uniquely united by religion, a particular sports team, a hobby, or anything else other than our shared previous and ongoing life experiences. Our meeting halls aren't places of religious worship, stadiums, or public play space in a local gaming store, though many of us frequent these places individually or in smaller friend groups. Our meeting spaces allow us to come together as a community regardless of our secondary interests: they're Queer-owned, -operated, and -focused restaurants, bars, and clubs. These places are where we feel the safest to be ourselves and, ironically, where we are most vulnerable as shown by the Pulse and Club Q shootings. The Pulse and Uvaldi massacres demonstrated that we cannot depend on police to save us in these situations. The Club Q shooting, however, demonstrated that we can effectively defend ourselves and limit the loss of life.

Those of us who feel they have a duty to physically defend the Queer community are not as rare as you may think. In Maryland and DC, Rainbow Brigade DMV regularly gathers 100+ Queer people and our allies to defend Drag Story Hour events and the families that attend them. These people willingly use their bodies and flimsy umbrellas to shield against violent attempts to breach and disrupt the events. In addition to those that put their bodies in harm's way to protect innocent families, many within the Queer community have either recently started getting trained and armed or are being more open about being armed, a topic that was taboo within the community in the not-too-distant past. As a community we are noticing the increased hateful rhetoric being used against us, the increase in armed and often violent protestors that show up at our events and meeting spaces, and the boiling tension that's constantly on the edge of violence that exists in our society. We are not willing to be lambs led to slaughter.

My opposition to this provision is not advocating that we should be allowed to drink and carry. I am advocating that we should be allowed to make a conscious choice about which we do. A solution exists that allows those who feel they have a duty to protect the Queer community while maintaining that only sober people should be armed. The prohibition on carrying a firearm into a place that's licensed to serve alcohol to be consumed on premises should be amended to only apply to those personally consuming alcohol. A similar amendment offered by Senator Folden on the Senate floor had bipartisan support and failed by a slim three vote margin. More than 25% of Democrats in the Senate supported the amendment; the adoption of an amended House version would be a non-issue in conference committee.

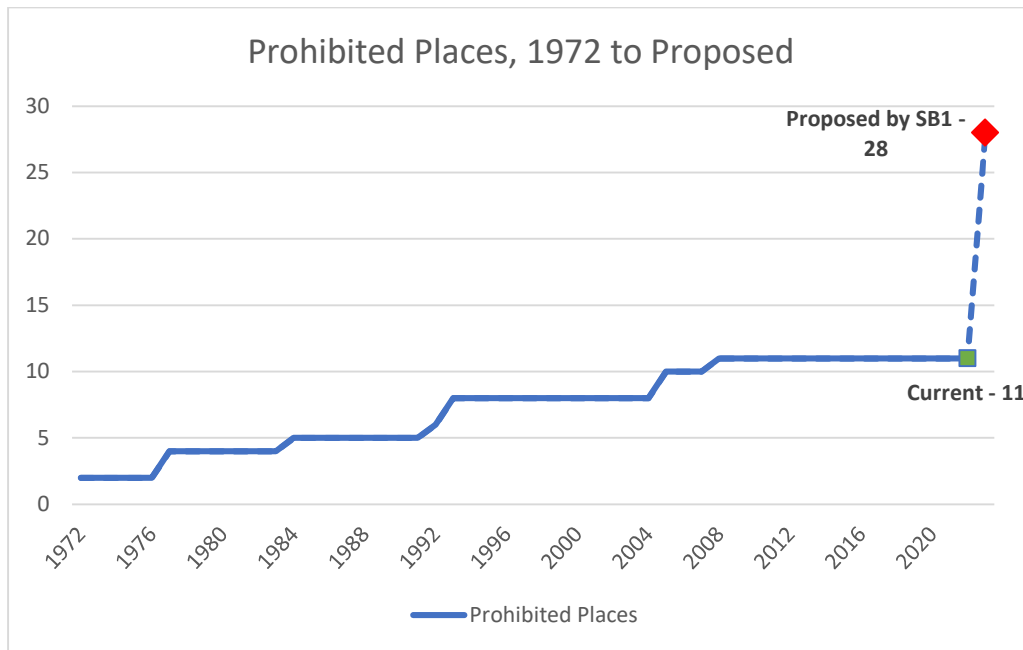
I strongly urge this committee to reject SB1 in its entirety. It is a deeply flawed and absolutely unnecessary bill that will only exacerbate the primary problem that its sponsor identified. However, should the committee wish to proceed with the bill, I ask that the prohibition on places that serve alcohol be amended to only apply to those personally consuming alcohol.

¹ See Appendix A for a historical look at prohibited places from the enactment of MD's carry laws until today

² See Appendix B which addresses gun thefts from vehicles and how the problem will be exacerbated by SB1

Appendix A

SB1 is a Massive Increase in Prohibited Places



SB1 proposes to add seventeen prohibited places to our current list in statutes and regulations of eleven, bringing the list to twenty-eight prohibited places, 254% of the current number. SB1 will be the most substantial change to the rights of Marylanders to legally carry handguns since our carry and transport laws were first enacted in 1972. Maryland has added, on average, about two new prohibited places every decade, three added by statute and the rest by regulation.

While that doesn't bind the General Assembly from enacting further laws, it does show how much of a massive departure SB1 is from the way Maryland has traditionally handled the question of public carry of firearms. All of this is done without providing evidence that there is a problem or that SB1 is in any way a solution. Senator Waldstreicher, this bill's sponsor, when asked by Senator Folden for evidence that permit holders are driving the increase in crime evaded the question and pivoted instead to criminals using stolen, illegal guns. He responded to Senator Folden's direct question asking about crimes committed by legal gun owners versus crimes committed by people with illegal guns by saying, "*more guns being licensed means more guns being lost, more guns being used for suicide, as we've discussed today, more guns being stolen, and more guns ending up in the hands of the criminals to which you refer.*"³

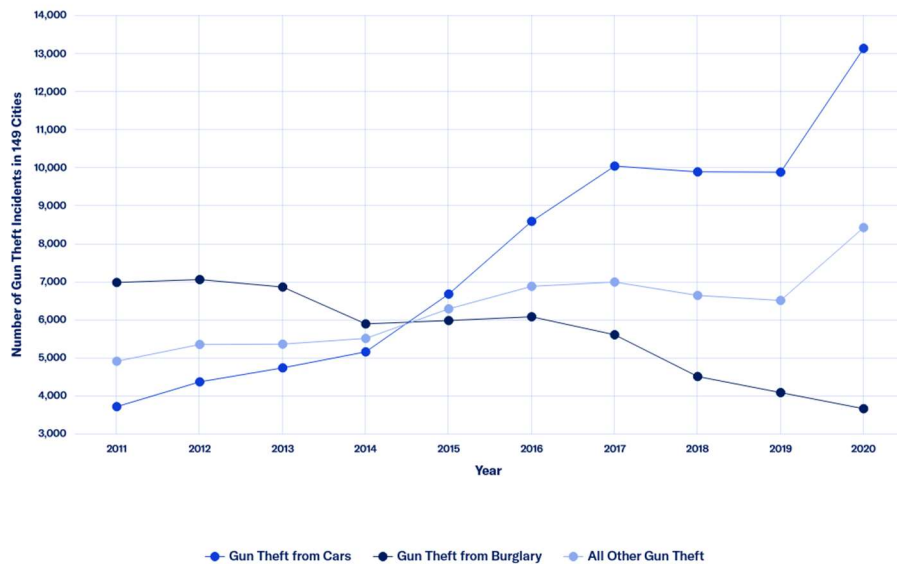
As discussed in Appendix B, if Senator Waldstreicher's primary concern is legal guns becoming illegal guns, as his testimony in the Senate JPR committee indicated, then this bill will fail by having the exact opposite of the desired effect.

³ Maryland Senate JPR Committee Hearing on SB1, February 7, 2023
<https://www.youtube.com/live/CizgPIOuGCQ?feature=share&t=4175>

Appendix B

SB1 Will Result in More Illegal Guns on the Street

A decade ago, less than a quarter of gun thefts in 149 cities were from cars—in 2020, over half were.



Source: Everytown for Gun Safety analysis of FBI NIBRS data, 2011–2020.

What is a permit holder supposed to do when needing to go into a prohibited place? The obvious answer for most will be to lock their gun in their car while they run their errand. But the handgun safes and lockboxes that are most appropriate for use in a car are notoriously easy to break into and are usually poorly, if at all, secured to the vehicle. A quick look at the LockPickingLawyer’s Youtube videos will show that they can be opened by strong magnets, dinner forks, paper clips, and ballpoint pens. Even one of the gun safes he recommends due to its picking resistance can be opened by dropping it at an angle from waist height on a hard surface.

Everytown for Gun Safety’s analysis of the FBI’s data from 149 cities shows that a gun is stolen from a car every 15 minutes and that 48% of them are stolen when the car is in a parking lot or on the roadside. 52% of stolen guns came from cars in 2020.⁴ So why does SB1 propose to make this worse in the state of Maryland? SB1 will result in “more guns being stolen, and more guns ending up in the hands of the criminals” that Senator Waldstreicher is so concerned about.

⁴ Everytown for Gun Safety, “Gun Thefts from Cars: The Largest Source of Stolen Guns,” May 9, 2022, <https://everytownresearch.org/gun-thefts-from-cars-the-largest-source-of-stolen-guns/>, accessed 3/27/2023.