

Daniel J. Carlin-Weber
HB 307
Unfavorable
2/15/2023

I am a professional firearms instructor and advocate of responsible firearms handling and ownership. I teach through my Baltimore City-based company, C-W Defense, and hold numerous credentials related to firearms instruction including being recognized as a Qualified Handgun Instructor by the Maryland State Police. Since 2016, I have taught Marylanders from all walks of life how to safely operate firearms and the responsibilities that come with them. I come before you today to urge an unfavorable report for House Bill 307.

HB 307 seemingly aims to keep guns out of access from minors (taking existing state law from 16 and under to 18 and under), but the bill goes much, much further than that. Currently, Maryland Code, Criminal Law, §4-104 (c) states: “A person may not store or leave a loaded firearm in a location where the person knew or should have known that an unsupervised child would gain access to the firearm.” This bill expands on that by requiring adults to acquire storage devices for their firearms and ammunition, but somehow in a manner that prohibits access to those under 18.

Frankly, there’s no ‘one way’ to store firearms safely. I teach my students that firearms storage within their homes should comport to their lifestyle considerations and should, at minimum, keep honest people honest. Despite how much money they spend, however, there is simply no way to prohibit all access. It is unclear by the terms of this bill what level of security would be adequate. The devices that many gun owners use for locking their guns are often the locks that came with their purchases and are approved by the Maryland Handgun Roster Board for use. These basic locks are also often handed out by organizations like Moms Demand Action and the National Shooting Sports Foundation. *Group passes out free gun locks in safety campaign*, 4WWL-TV, <https://www.wwltv.com/article/news/local/group-passes-out-free-gun-locks-in-safety-campaign/289-560410625>. **These devices are not difficult to defeat.** *Gun Cable Locks Defeated with Hand Cutters*, YouTube, LockPickingLawyer, <https://www.youtube.com/watch?v=tOjrAsg49M>. They’re also not adequate under the bill because they are not storage devices themselves, but merely attempt to restrict the function of the firearm. The penalties within the bill could very well be used against entirely well-meaning people – again, not something this body should be focused on. Good security costs and purpose-made heavy-duty gun safes with stout locks start at many hundreds to even thousands of dollars. Should someone who was only able to afford a \$100 locking box be penalized because a crafty middle-schooler managed to defeat its lock and gain access to the gun inside? That cannot be the aim of the bill.

GUN SAFES & VAULTS

79 Results

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Product Name	Rating	Price
ProVault 12-Gun Safe by Liberty with Electronic Lock	★★★★★ (20)	\$549.99
Liberty Safe HD-90 Key Vault	★★★★★ (15)	\$64.99
ProVault Electronic-Lock 18-Gun Safe by Liberty	★★★★★ (11)	\$669.99 \$679.99 Save \$10.00 Sale
IDENTILOCK Biometric Fingerprint Gun Lock	★★★★★ (10)	\$199.88 - \$239.00 New!
Liberty Safe Centurion 18-Gun Safe	★★★★★ (5)	\$669.99
Liberty Safe HD-50 Key Vault Portable Safe Box	★★★★★ (4)	\$28.99
Cabela's Outfitter E-Lock 25-Gun Safe by Liberty	★★★★★ (3)	\$999.97 \$1,189.99 Save \$190.02 Sale
Cabela's Signature E-Lock 25-Gun Safe	★★★★★ (3)	\$1,799.99

Safes are the best option to store firearms, but they are expensive and cost-prohibitive to many. Safes are also often very heavy or large and not everyone's living situation is suited to having such a device. Lockers (similar to safes, but usually made with thinner metals and lesser locking mechanisms) are not bad options as they are more budget-friendly, lighter, and more easily installed, and a locker will generally keep an honest person honest. That said, these devices can be defeated with crowbars and time—if the simple locks common to these devices aren't picked first. Quick-access safes are fine for one or two handguns and aren't harshly expensive, but even these have vulnerabilities. *AmazonBasics PS75EF: A Firearm Safety Device FAIL*, YouTube, uploaded by Handgun Safe Research, 8 Feb. 2021, www.youtube.com/watch?v=jt4zTEN9pPs.

The risk that entirely innocent gun owners who are trying their best to be responsible will find themselves confused and vulnerable to arbitrary and capricious enforcement of these new impossible-to-satisfy requirements is greater than zero and that is too high. Gun ownership is an individual right (*District of Columbia v Heller*, 554 U.S., 570 (2008)) and not one predicated on whether the citizen is able to spend another \$1000 or so on a safe for their guns or entirely prevent every possible way

against unauthorized access from another. *Heller* also recognized that Americans have a right to *immediate* access to the means to be able to protect themselves within their homes and struck as unlawful the District of Columbia's requirement that firearms be kept locked and inoperable. This bill would have a similar effect if enacted.

I have not seen a good explanation of why current Maryland law is inadequate. Willful or gross negligence should be the standard by which someone is penalized if their actions or inactions lead to harm. This bill doesn't do this, however, and instead just threatens every gun owner in the state with prosecution because any minor might gain access to their firearm, despite storage that the typical person would find reasonable. The body should investigate ways to incentivize responsible and safe firearms storage solutions rather than relying on the threat of imprisonment.

I urge an unfavorable report.



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