



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

March 11, 2025

The Honorable Senator Will Smith
Chair, Judicial Proceedings Committee
2 East Miller Senate Office
Annapolis, MD 21401

RE: Support of SB1031 – Nykayla Strawder Act – Criminal Law - Petition to Increase Penalty

Dear Chairman Smith and Honorable Judicial Proceedings Committee Members,

My name is Jennifer J. Brady and I am the Division Chief of the Felony Firearms and Drug Trafficking Unit in the Baltimore City State's Attorney's Office. I am writing to express my full support for SB1031, "Criminal Law - Child's Access to Firearms - Penalty (Nykayla Strawder Act)." This proposed legislation is crucial in holding those accountable who fail to store their loaded firearms in a safe location, out of the reach of children.

A sentence of incarceration of 5 years, as outlined in SB1031, is a significant step forward in ensuring accountability and justice within Maryland's legal system. Currently, the penalty for a violation of CR 4-104 Child's Access to a Firearm, is capped at a fine of \$1000. The existing penalty is wholly insufficient to hold offenders accountable and ensure the safety of our children, those innocent lives like Nykayla Strawder.

In July 2023, I prosecuted April Gaskins for failing to safely secure her loaded firearm which resulted in the death of 15 year-old Nykayla Strawder. On August 6th 2022, Nykayla was shot and killed on the porch of her home in Baltimore City. Nykayla was hanging out with friends and family on the porch of her home when 9 year-old A.C. began showing off a gun which discharged, striking Nykayla in the head. A.C. then dropped the gun and ran away. Investigations revealed that the handgun was registered to April Gaskins, A.C.'s grandmother and guardian. Investigators learned that Gaskins regularly stored the loaded handgun in a shoe box on the floor of her bedroom closet with the knowledge that A.C. had access to her room and would spend time there watching television and playing video games. Investigators also learned that A.C. had taken the gun on previous occasions including to school, prior to this unfortunate homicide.

During the charging process for this case it was discovered that the law was grossly inadequate to address the egregious events that occurred leading to Nykayla's tragic death. At 9 years old A.C. could face no legal consequences however he will likely suffer long-term consequences as a result of Mr. Gaskins' actions. As for holding Ms. Gaskins



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accountable, as written "Access to a Minor" under CR 4-104 is only a fineable offense, clearly insufficient in light of the tragic events that conspired as a result of Ms. Gaskins' behavior.

Ms. Gaskins was charged with CR 4-104, Firearm Access by a Minor under the Baltimore City Code, and Reckless Endangerment. The legal battle to survive a Motion for Judgment of Acquittal for Reckless Endangerment was an uphill one that the State barely survived.

It's too late to save Nykayla but it isn't too late to honor her life and prevent future tragedies caused by the unlawful access of firearms by children. With the recent increase in firearm proliferation in Maryland and violence in our schools, by enacting SB1031, we can demonstrate our commitment to the safety of our children by providing a sufficient penalty and deterrent for leaving loaded weapons within the reach of our children.

In conclusion, I urge you to support SB1031 and advocate for its passage. Let us seize this opportunity to ensure that our legal system reflects our values and our commitment to the safety of our children.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Brady", written over a horizontal line.



Ivan J. Bates

Jennifer J. Brady
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