



**SENATE BILL 1031**  
**Criminal Law - Child's Access to Firearms – Penalty**  
**(Ny’Kala Strawder Act)**  
**UNFAVORABLE**

We support any practical means to encourage the safe storage of firearms. However, imposing the proposed up to 5-year penalty will do nothing to promote firearms safety. Should the government prosecutor deem it necessary to invoke a more stringent penalty, existing statutes on reckless endangerment and minor’s access to firearms are applicable and should be utilized when appropriate.

April Gaskins, whose 9-year-old grandson shot and killed Ny’Kala Strawder, faced 5 years in prison for reckless endangerment and firearm access by a minor. This clearly demonstrates the existing statutes are sufficient. Senate Bill 1031 is a symbolic statement only; it will not bring Ny’Kala back to life. Nor will its provisions do anything other statutes cannot do. It short it is just another gun law for the sake of a gun law.

We urge an unfavorable report on Senate Bill 1031.

Respectfully,

John H. Josselyn  
2A Maryland  
03/11/2025

Attachments: (3)

- Attachment #1: Judiciary Case Search Record: April Gaskins
- Attachment #2: Criminal Law §3-204
- Attachment #3: Criminal Law §4-104

# Maryland Judiciary Case Search

NOTICE: Available

## Case Detail

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### Case Information

Court System: **Circuit Court For Baltimore City - Criminal**  
Location: **Baltimore City Circuit Court**  
Case Number: **122326012**  
Title: **STATE OF MARYLAND VS APRIL GASKINS**  
Case Type: **Criminal Indictment**  
Filing Date: **11/22/2022**  
Case Status: **Appealed**  
Tracking Number(s): **197024006745**

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### Other Reference Numbers

Tracking Number:: **197024006745**  
Case Appealed: **ACM-REG-1420-2023**

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### Defendant Information

#### Defendant

Name: **GASKINS, APRIL**  
Race: **Unavailable** Sex: **Female** Height: **0'0"** Weight: **0**  
HairColor: **EyeColor:**  
DOB: **04/06/1968**  
Address: **146 SEIGWERT LANE**  
City: **BALTIMORE** State: **MD** Zip Code: **21229**

#### Attorney(s) for the Defendant

Name: **Mead, Brandon R Esquire**  
Appearance Date: **02/10/2023**  
Address Line 1: **1 N. CHARLES STREET, STE 2470**  
City: **BALTIMORE** State: **MD** Zip Code: **21201-0000**

Name: **DOLLAR, LAUREN ILENE**  
Appearance Date: **02/14/2025**

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SB 1031 - Attachment #1 - 2A Maryland Testimony

## Involved Parties Information

### Plaintiff

Name: **State of Maryland**

### Attorney(s) for the Plaintiff

Name: **BRADY, JENNIFER**

Appearance Date: **11/22/2022**

Address Line 1: **120 E BALTIMORE ST #954**

City: **BALTIMORE** State: **MD** Zip Code: **21202**

### Police Officer

Name: **DIGGS, SHARON**

AgencyName: **Not Defined**

## Court Scheduling Information

Event Type	Event Date	Event Time	Judge	Court Location	Court Room	Result
Hearing - Initial Appearance	03/21/2023	12:00:00	Trial Set, No Hearing	Baltimore City Circuit Court Conversion Calendar		Cancelled / Vacated
Jury Trial	03/21/2023	09:00:00	Phinn, Melissa M.	Baltimore City Circuit Court Conversion Calendar		Other - Actions Specified in Events
Zoom Remote Hearing	05/23/2023	09:00:00	Phinn, Melissa M.	Baltimore City Circuit Court Conversion Calendar		Specially Set
Jury Trial	05/23/2023	09:00:00	Phinn, Melissa M.	Baltimore City Circuit Court Conversion Calendar		Continued
Jury Trial	05/24/2023	09:30:00	Phinn, Melissa M.	Baltimore City Circuit Court Conversion Calendar		Transferred
Jury Trial	05/24/2023	09:30:00	Bryant, Yvette M.	Baltimore City Circuit Court Conversion Calendar		Transferred
Jury Trial	05/24/2023	09:00:00	Phinn, Melissa M.	Baltimore City Circuit Court Conversion Calendar		Continued

Jury Trial	07/18/2023	09:30:00	Williams, Barry G.	Baltimore City Circuit Court Conversion Calendar	Sub-Curia
Hearing on Motion	09/12/2023	09:30:00	Williams, Barry G.	Baltimore City Circuit Court Conversion Calendar	CancelledReason: Cancelled/Vacated
Disposition Hearing	09/14/2023	09:30:00	Williams, Barry G.	Baltimore City Circuit Court Conversion Calendar	Judgment

Charge and Disposition Information

Charge No: 1 CJIS Code: 1-1425 Statute Code: CR.3.204.(a)(1)  
Charge Description: RECKLESS ENDANGERMENT Charge Class: Misdemeanor  
Probable Cause:  
Offense Date From: 08/06/2022 To:  
Agency Name: Officer ID:  
Disposition  
Plea: Not Guilty Plea Date: 07/18/2023  
Disposition: Sentenced - Guilty Disposition Date: 09/14/2023  
Sentence  
Judge: Williams, Barry G.  
Jail  
Life: false  
Death: false  
Start Date: 09/13/2023  
Jail Term: Yrs: 3 Mos: 0 Days: 0 Hours: 0

Charge No: 3 CJIS Code: ConvertedCode Statute Code: 000000  
Charge Description: LOADED FIREARM/MINOR Charge Class: Converted Degree  
Probable Cause:  
Offense Date From: 08/06/2022 To:  
Agency Name: Officer ID:  
Disposition  
Plea: Not Guilty Plea Date: 07/18/2023  
Disposition: Sentenced - Guilty Disposition Date: 09/14/2023  
Sentence  
Judge: Williams, Barry G.  
Jail  
Life: false  
Death: false  
Start Date:  
Jail Term: Yrs: 1 Mos: 0 Days: 0 Hours: 0

## Warrants Information

Type	Issue	Judge	Last Status	Status Date
Arrest Warrant	11/22/2022	SCHIFFER, JENNIFER BRIDGET	Warrant Served	02/01/2023

## Document Information

File Date: **11/22/2022**

Document Name: **Case Initiation**

File Date: **11/22/2022**

Document Name: **Warrant Issued**

File Date: **11/23/2022**

Document Name: **Case is TBA Restricted or No Longer TBA Restricted**

File Date: **02/01/2023**

Document Name: **Warrant Served**

File Date: **02/02/2023**

Document Name: **Case is TBA Restricted or No Longer TBA Restricted**

File Date: **02/06/2023**

Document Name: **Public Defender Eligible**

File Date: **02/10/2023**

Document Name: **Motion / Request - For Speedy Trial**

File Date: **02/10/2023**

Document Name: **Motion to Produce Documents**

File Date: **02/10/2023**

Document Name: **Motion / Request / Demand for Discovery and Inspection**

File Date: **02/10/2023**

Document Name: **Motion to Suppress Pursuant to MD 4-252 and 4-253**

File Date: **02/10/2023**

Document Name: **Motion for Grand Jury Testimony**

File Date: **02/10/2023**

Document Name: **Demand / Request for Presence of Chemist/Analyst**

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File Date: **02/10/2023**  
Document Name: **Defense Attorney Appearance Filed**

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File Date: **03/21/2023**  
Document Name: **DCM Track**

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File Date: **09/14/2023**  
Document Name: **Case Closed**

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File Date: **09/14/2023**  
Document Name: **Commitment Record Issued**

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File Date: **09/19/2023**  
Document Name: **Appeal to Appellate Court of Maryland**

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File Date: **01/10/2025**  
Document Name: **Unreported Opinion from ACM**

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File Date: **02/11/2025**  
Document Name: **Mandate & Statement of Costs**

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File Date: **02/13/2025**  
Document Name: **Defense Attorney Appearance Filed**

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File Date: **02/21/2025**  
Document Name: **Docket Entry**

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*This is an electronic case record. Full case information cannot be made available either because of legal restrictions on access to case records found in Maryland Rules, or because of the practical difficulties inherent in reducing a case record into an electronic format.*

## Article - Criminal Law

[\[Previous\]](#)[\[Next\]](#)

§3-204.

(a) A person may not recklessly:

(1) engage in conduct that creates a substantial risk of death or serious physical injury to another; or

(2) discharge a firearm from a motor vehicle in a manner that creates a substantial risk of death or serious physical injury to another.

(b) A person who violates this section is guilty of the misdemeanor of reckless endangerment and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.

(c) (1) Subsection (a)(1) of this section does not apply to conduct involving:

(i) the use of a motor vehicle, as defined in § 11-135 of the Transportation Article; or

(ii) the manufacture, production, or sale of a product or commodity.

(2) Subsection (a)(2) of this section does not apply to:

(i) a law enforcement officer or security guard in the performance of an official duty; or

(ii) an individual acting in defense of a crime of violence as defined in § 5-101 of the Public Safety Article.

[\[Previous\]](#)[\[Next\]](#)

## Article - Criminal Law

[\[Previous\]](#)[\[Next\]](#)

§4-104.

(a) (1) In this section the following words have the meanings indicated.

(2) “Ammunition” means a cartridge, shell, or other device containing explosive or incendiary material designed and intended for use in a firearm.

(3) (i) “Firearm” means a handgun, rifle, shotgun, short-barreled rifle, or short-barreled shotgun, as those terms are defined in § 4-201 of this title, or any other firearm.

(ii) “Firearm” does not include an antique firearm as defined in § 4-201 of this title.

(b) This section does not apply if:

(1) the minor’s access to a firearm is supervised by an individual at least 18 years old;

(2) the minor’s access to a firearm was obtained as a result of an unlawful entry;

(3) the firearm is in the possession or control of a law enforcement officer while the officer is engaged in official duties; or

(4) the minor has a certificate of firearm and hunter safety issued under § 10-301.1 of the Natural Resources Article.

(c) A person may not store or leave a loaded firearm in a location where the person knew or should have known that an unsupervised minor has access to the firearm.

(d) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

(e) (1) A violation of this section may not:

(i) be considered evidence of negligence;

(ii) be considered evidence of contributory negligence;



(iii) limit liability of a party or an insurer; or

(iv) diminish recovery for damages arising out of the ownership, maintenance, or operation of a firearm or ammunition.

(2) A party, witness, or lawyer may not refer to a violation of this section during a trial of a civil action that involves property damage, personal injury, or death.

[\[Previous\]](#)[\[Next\]](#)