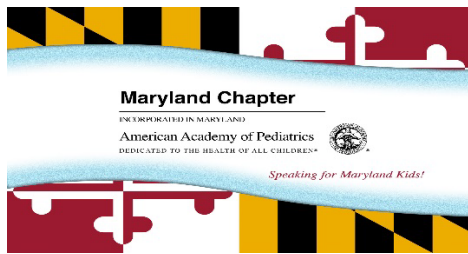


SB1031_FAV_MDAAP_Criminal Law - Child's Access to

Uploaded by: Christine Krone

Position: FAV



Senate Judicial Proceedings Committee

March 11, 2025

Senate Bill 1031 – *Criminal Law – Child’s Access to Firearms – Penalty (Ny’Kala Strawder Act)*

POSITION: SUPPORT

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of support for Senate Bill 1031.

Senate Bill 1031 strengthens penalties for the unsafe storage of firearms when a minor can access them. Under current law, it is illegal to store or leave a loaded firearm in a place where an unsupervised minor could potentially gain access. This bill increases the penalty for violations from a maximum \$1,000 fine to up to five years of imprisonment, a \$1,000 fine, or both. Exceptions remain for cases where a minor’s access is supervised by an adult, the firearm was obtained through unlawful entry, or the firearm is in the possession of law enforcement during official duties.

MDAAP views firearm safety as a critical public health issue under its Pediatric Injury Prevention Strategy. A 2024 Johns Hopkins report found that, for the third consecutive year, firearms were the leading cause of death among children, surpassing disease and car accidents. Unsafe gun storage dramatically increases the risks of accidental shootings, youth suicides, and gun violence. By increasing penalties for improper firearm storage, this bill holds adults accountable, encourages responsible gun ownership, and helps protect children from preventable harm. The integration of this policy would greatly benefit both public health and the safety of Maryland’s children. For these reasons, MDAAP urges a favorable vote.

For more information call:

Christine K. Krone
J. Steven Wise
Danna L. Kauffman
410-244-7000

SB 1031 - Senator Attar's Testimony.pdf

Uploaded by: Dalya Attar

Position: FAV



THE SENATE OF MARYLAND

ANNAPOLIS, MARYLAND 21401

Senator Attar's Testimony in Support of Senate Bill 1031 - Criminal Law - Child's Access to Firearms - Penalty (NyKayla Strawder Act)

March 11, 2025

Chair Smith, Vice-Chair Waldstreicher, and members of the Judicial Proceedings Committee,

Introduction and Purpose of Senate Bill 1031

Thank you for your consideration of Senate Bill 1031 - *Criminal Law – Child's Access to Firearms – Penalty*, also known as the NyKayla Strawder Act. This bill seeks to address a critical issue in our community by strengthening penalties for individuals who fail to properly secure firearms, preventing minors from gaining unsupervised access. This legislation is named in memory of NyKayla Strawder, a 15-year-old who tragically lost her life a few years ago due to a firearm that was left unsecured. In the wake of recent tragic incidents, including the heartbreaking death of a 9-year-old in my district, this bill aims to improve public safety by ensuring that those who negligently leave firearms accessible to children are held accountable.

The Need for Senate Bill 1031

Currently, Maryland law allows only a fine as a penalty for individuals who store or leave a loaded firearm in a location where a minor could access it without supervision. However, this penalty has proven insufficient, especially given the catastrophic consequences of such negligence. Tragically, incidents like the accidental death of NyKayla Strawder and the recent death of a 9-year-old in my district highlight the urgency of addressing this issue more effectively. These tragedies are preventable, and we must take action to strengthen our laws to protect children from easily accessing firearms.

Key Provisions of Senate Bill 1031

Senate Bill 1031 increases the penalties for individuals who fail to secure firearms from only a fine of up to \$1,000 to include a penalty of up to five years in prison. This bill aims to ensure that those who knowingly or negligently allow minors to gain unsupervised access to firearms are held criminally accountable.

The current law has several exemptions: it will not apply if a minor's access to a firearm is supervised by an adult, if the firearm was obtained because of unlawful entry, if the firearm is in

the possession or control of a law enforcement officer while the officer is engaged in official duties, or if the minor holds a certificate of firearm and hunter safety. These exemptions ensure that the bill does not penalize responsible gun owners who follow safe practices and guidelines.

Request for Support

The Nykayla Strawder Act honors the memory of a young life lost, and I believe it will help prevent future tragedies by sending a strong message about the importance of securing firearms. This legislation is a critical step toward safeguarding the most vulnerable members of our society – our children.

I urge the committee to stand with me, with Nykayla's family, and with the countless Maryland families who are counting on us to make this necessary change to our law. I respectfully ask for your support in passing this important legislation.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dalya", followed by a long horizontal flourish.

Senator Dalya Attar

Letter Of Support by SA Bates and the Strawder Fam

Uploaded by: Hassan Giordano

Position: FAV



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

March 11, 2025

The Honorable Senator Will C. Smith Jr.
Chair, Judicial Proceedings Committee
2 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

RE: Support of SB1031 – Criminal Law - Child's Access to Firearms - Penalty (Ny'Kala Strawder Act)

Dear Chairman Smith and Members of the Judicial Proceedings Committee,

As the State's Attorney for Baltimore City, I write in strong support of SB1031, which is a key legislative agenda item for my office, and something prosecutors across the state will tell you is a loophole in the current law that needs to be addressed immediately.

My Chief of Felony Firearms and Drug Trafficking, Jennifer Brady, has submitted testimony on behalf of our office in favor of this bill, so I won't take up much of your time going over the specifics of the bill and what it would change. However, I would urge you to read her testimony, as she was the prosecutor who had to figure out a way to hold the irresponsible grandparent of a nine year old accountable for leaving her legal service weapon in an unsecure location, which led to the untimely death of a fifteen year old angel, Ny'Kala Strawder.

And while I won't get into the legal specifics of why this bill is imperative, especially after witnessing a 10-year old die at the hands of another unsecure firearm laying around the home two months ago. However, I would rather leave you with the words of her beloved family member Donyette McCray, who like her siblings, extended family members and friends, continues to suffer through the pain and grief that comes with losing someone to gun violence, especially someone so young through no fault of their own.

So I urge you to support this important legislation, helping prosecutors across the state truly be able to hold irresponsible individuals like this accountable for their actions. SB1031 will truly be a blessing for so many people in this state, including the Strawder family, but one that I pray we will never have to use in the future. I leave you with the heartfelt words of Ms. McCray as you consider your vote on SB1031. Thanks for your time.



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

Dear Members of the Senate Judicial Proceedings Committee ,

On August 6th, 2022, my world was turned upside down when I lost my beloved great niece/daughter, Nykayla, to gun violence. Her death was the result of someone not properly securing their firearm, a tragic oversight that has haunted me and my family every single day.

Because of this failure, I am now left to navigate life without her, and I can't help but wonder how many other families are experiencing similar grief due to preventable gun-related tragedies. In December 2022, in honor of Nykayla, I made the decision to start an organization dedicated to creating safe spaces for children to play and grow. Our mission is to ensure that no child has to face the dangers of unsecured firearms and to provide communities with resources and education about safe gun storage.

Since Nykayla's death, I've been heartbroken to see an increased number of children dying due to firearms that are not properly locked away or stored out of reach. This year 2025, Nykayla would have been turning 18 years old. She had so much potential and so much life left to live, but because of someone's failure to secure their weapon, she is no longer with us.

I ask you to take action on SB1031 to prevent this senseless gun violence from happening to other families. It is crucial that we pass laws requiring proper firearm storage and raise awareness about the dangers of leaving firearms unsecured, especially around children.

I urge you to take meaningful steps to protect our children and ensure that tragedies like mine don't continue to devastate families. Thank you for your attention regarding this critical issue. I trust that you will make the right decisions that will create safer communities and protect the lives of our future generations.

Sincerely, Donyette McCray
kway15.4all@gmail.com

We respectfully urge this committee, and the members of the Maryland General Assembly, to support SBO181.



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

Sincerely,

Ivan J. Bates

Ivan J. Bates
State's Attorney for Baltimore City

Submitted By: Hassan Giordano
Chief, External Affairs Division

Support for SB1031.pdf

Uploaded by: Jennifer Brady

Position: FAV



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



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

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".



Ivan J. Bates

Jennifer J. Brady
Chief Felony Firearms and Narcotics Division
Office of the State's Attorney for Baltimore City
120 E. Baltimore St. 9th Fl
Baltimore, MD 21202

Donyette McCray Testimony SB1031.pdf

Uploaded by: Reynard Parks

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

On August 6th, 2022, my world was turned upside down when I lost my beloved great niece/daughter, Nykayla, to gun violence. Her death was the result of someone not properly securing their firearm, a tragic oversight that has haunted me and my family every single day. Because of this failure, I am now left to navigate life without her, and I can't help but wonder how many other families are experiencing similar grief due to preventable gun-related tragedies.

In December 2022, in honor of Nykayla, I made the decision to start an organization dedicated to creating safe spaces for children to play and grow. Our mission is to ensure that no child has to face the dangers of unsecured firearms and to provide communities with resources and education about safe gun storage. Since Nykayla's death, I've been heartbroken to see an increased number of children dying due to firearms that are not properly locked away or stored out of reach.

This year 2025, Nykayla would have been turning 18 years old. She had so much potential and so much life left to live, but because of someone's failure to secure their weapon, she is no longer with us. I ask you to take action to prevent this senseless gun violence from happening to other families. It is crucial that we pass laws requiring proper firearm storage and raise awareness about the dangers of leaving firearms unsecured, especially around children.

I urge you to take meaningful steps to protect our children and ensure that tragedies like mine don't continue to devastate families. Thank you for your attention regarding this critical issue. I trust that you will make the right decisions that will create safer communities and protect the lives of our future generations.

Sincerely,

Donyette McCray
(410)-419-8563
kway15.4all@gmail.com

SB1031_Testimony_2A_Maryland.pdf

Uploaded by: John Josselyn

Position: UNF



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

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**

Other Reference Numbers

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

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**

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**

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

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

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

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

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

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

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

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

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

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.

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

sb1031_kasuba_UNF.pdf

Uploaded by: Thomas Kasuba

Position: UNF

Please find **UNFAVORABLE** Senate Bill 1031
Criminal Law – Child’s Access to Firearms – Penalty (Ny’Kala Strawder Act)

I oppose this bill as it imposes harsh criminal penalties on gun owners yet we do not see the same treatment for other potentially deadly household items. Consider the following:

Prescription Drugs: The opioid crisis has led to many deaths due to minors accessing prescription medications, yet there are no harsh legal penalties for failing to lock up a pill bottle. [1]

Car Keys: A teenager taking a parent’s car without permission can lead to catastrophic consequences, yet parents are not criminally liable for simply leaving keys in an accessible area.

Knives and Household Chemicals: These objects can be just as dangerous in the hands of a minor, but no laws impose imprisonment for failing to lock up the kitchen steak knives.

Why, then, is law-abiding gun ownership uniquely criminalized? This bill operates on the false assumption that guns, more than any other object, are inherently evil—when in reality, they are tools that millions of responsible Americans use for self-defense, sport, and hunting.

Under certain circumstances, a minor may need access to a firearm to defend themselves or their family. If an armed home invasion occurs and a minor must use a lawfully owned firearm to protect their siblings, should the parents be imprisoned for allowing access? This bill does not provide a reasonable self-defense exception, which may lead to tragic and unintended consequences. You think this never happens? Well, [2] is a news article from 2/15/2025 where a juvenile defended themselves against not one but 2 armed intruders.

The bill’s wording "knew or should have known" is dangerously vague. It places a burden of clairvoyance on gun owners, forcing them to predict what a minor may or may not do. Responsible gun owners already follow safe storage practices, and accidental cases should be addressed through education, not imprisonment that exceeds willful acts of malice.

While the safety of minors is a shared priority, SB 1031 is certainly not the solution. It targets responsible gun owners while pretending that equally dangerous household risks simply don't exist. Don't criminalize parents.



Thomas J. Kasuba (registered Democrat)
2917 Rosemar Drive
Ellicott City, MD 21043-3332
tomkasubamd@netscape.net
301-688-8543 (day)
March 7, 2025

[1] <https://ncfrp.org/center-resources/quick-looks/opioid-related-deaths-in-children-ages-1-to-17/>

[2] https://www.kake.com/news/kentucky-child-fatally-shoots-two-home-intruders-in-self-defense-police-say/article_c57efa84-ed80-11ef-a03b-a345cd710577.html