

Michael Schuster
Regarding HB0387
February 11, 2025

Greetings. My name is Michael Schuster, a firearms instructor, expert, and criminal justice graduate majoring in Intelligence Analysis and Collection. I strongly oppose the proposed legislation, HB0387, for the following reasons.

Firstly, the attempt to levy an excise tax and place the burden on the Federal Firearms Licensee is a thinly veiled attempt to bypass the rulings in *Murdock v. Pennsylvania* (319 U.S. 105) and *Shuttlesworth v. Alabama* (373 U.S. 262), both of which guarantee that no tax shall be imposed on a liberty. Fresh off the denial of *Certiorari* at SCOTUS, Maryland legislators once again feel imbued with unconstitutional power to further infringe on law-abiding citizens' capacity to exercise their 2nd Amendment rights in the state of Maryland. Make no mistake; ANY increase in cost to afford the exercise of a right is an infringement on said right. Levying a fee to vote would equally be unconstitutional. As such, this proposed legislation is already made unconstitutional and would be immediately challenged upon passage at an additional cost to taxpayers.

I understand the desire to fund the various Funds named in the legislation, but doing so by forcing law-abiding citizens to assume the costs associated with criminal activity is not only asinine, it is contrary to the history and tradition of criminal justice in America. Restitution is a powerful tool commonly employed in sentencing, to both attempt to deter and create an equilibrium from the seizure of criminal assets to pay for damages and liabilities incurred by criminal activity.

It is fair and just that, to fund these programs, the state imposes asset forfeiture provisions that mandate compensation to all parties victimized by criminal activity. If legislators care to be honorable in their meaning, to hold accountable the perpetrators of crime for their actions, and to uphold the rights of law-abiding citizens, then this legislation needs to be redrafted. I submit the following to redesign the nature of the legislation:

- 1) Any persons convicted of an aggravated crime, including the use of any weapon, shall be subject to asset forfeiture in an amount equivalent to the damages caused, including all costs and fees associated with the care, treatment, and compensation for personnel and resources required in the methodologies taken to directly or indirectly support victims of the crime.

This gives the state the capacity to not only levy liens against criminals but seize assets equivalent in value to the costs of services rendered. Holding criminals accountable for their actions is something this state does not do well enough, as evidenced by the juvenile crime crisis in Baltimore City. This is the State's chance to make a REAL difference in how our society funds its services, helps the victims of crime, and punishes those responsible for committing it.

Levying taxes on Constitutionally protected rights has never created a reduction in crime and has only served to make societies less free. I implore legislators to stop abusing their legislative immunity and act in accordance with the Constitution, their constituents' wishes, and in the best interests of all law-abiding citizens.