

Walter Frear
Bill - HB1257
I OPPOSE THIS LEGISLATION

My name is Walt Frear, and I live with my wife and 3 young children in southern Frederick County Maryland. I am a licensed firearms dealer, and owner/operator of a custom gunsmithing practice. I have been working full time as professional gunsmith in Maryland for over 22 years after graduating from the Colorado School of Trades gunsmithing program in 1997. I have called Maryland my home my entire life, with the exception of when I was away at school, and when I served in the military. My wife is the owner/operator of a successful CPA accounting practice here in Maryland with over 300 clients. We are both deeply invested in our kid's schools, church, and community. We live in a small town neighboring the town we both grew up in. Living local to where we both grew up allows us to share special memories with our children, extended family, and lifelong friends. However, if this legislation becomes law, we will be faced with the decision: do we give up a lifestyle we spent 2+ decades building together and start over in another state, or do I give up the skills I spent a lifetime developing and find a new line of work? (One heck of a decision to make given that we have done nothing wrong...). Honestly, most of my clients won't want to be under the intense surveillance this legislation requires simply to have their lawfully owned private property repaired; nor will they be willing to pay the increased costs that complying with this law will bring. Many clients will simply travel to neighboring states to have their firearms repaired or mail them to an out-of-state gunsmith; both of which will be beyond the reach of this legislation.

Specific problems with this legislation:

1. Electronic Database - regardless of the security protocols that are implemented, an electronic database will ALWAYS be vulnerable to hacking as well as exploitation from a disgruntled employee. If sensitive information in an electronic database were ever compromised: the name, address, make, model, and serial numbers, of thousands of customers would become a "super shopping list" forever available on the dark-web.

A compromised database will be a treasure trove of sensitive information for criminals and terrorist organizations looking to steal firearms from unsuspecting victims. If you think it's hard to fortify a gun store, just imagine how difficult it will be to defend thousands of customers homes once the list is out! As a very senior cyber-security specialist once told me, "when it comes to internet security, it's not a matter of IF, but a matter of WHEN, and HOW BAD the penetration is!....

2. Audio/video surveillance - my current video surveillance DVR only records 3 to 4 weeks of video data before it starts writing over. Installing a DVR system that would contain a years' worth of audio and video information is simply not possible without investing in extremely expensive technology. Virtually every situation that needs video review will be done in the first 24 hours after an incident; recording and archiving anything more than a few weeks of footage will be a complete waste of time and resources. Most importantly: clients will not want to utilize the services of a Maryland gunsmith who is recording every word of their conversation; they will simply take their work out of state.

3. Employee Background Checks - every spring when Maryland dealers apply to renew their Regulated Firearms Dealers License, they are required to list the full name, address, date of birth, race, sex and social security number of every employee working at the business. To the best of my knowledge, this information is used by the State Police to check their background, and anyone with a criminal history is prohibited from employment. Every dealer I've known takes the personal initiative to be certain that

every employee working for them is legally permitted to own firearms. Additional criminal background checks are simply not necessary.

4. Dealer Reported Theft - dealers are already required under state and federal law to report missing or stolen firearms. However, most firearms first thought to be lost or stolen are later found after a forensic audit of inventory and paperwork reveal an accounting error. Adding additional criminal penalties won't improve the situation.

5. Trigger Locks on All Firearms - it would simply be impossible for me to try to assess a customer's repair firearm with a safety lock installed. Nor would it be possible for me to show samples of my work to customers if those samples were required to have a safety lock installed on them.

6. After Hours Security - I recommend changing "shatterproof" display cases to "shatter resistant" display cases. This would allow dealers to apply lamination film to their existing glass display cases that would help make the glass much more tamper resistant. You could also allow dealers to cover glass display cases with plywood, sheet metal, or a pull-down cages or gates for improved security after hours. (Note: there are only a few manufacturers in the entire country who manufacture "shatterproof" displays, if dealers are required to install them, it may take several years to comply because of the dramatic increase in demand.)

7. Liability Insurance - The type of liability insurance this legislation will require simply doesn't exist. It's not possible to carry insurance on criminal or reckless actions of someone's customers; and that's exactly what is described in the legislation.

The reality is: this law will put small and micro-businesses (like mine) at a significant disadvantage, or out of business; clearing the way for larger gun stores to capitalize on less competition, turning millionaire gun dealers into mega-millionaires....

Proposed Amendments - If this bill has to go forward as currently written, maybe consider an exemption for dealers and gunsmiths who transfer less than 100 firearms annually. I transferred less than 10 firearms in 2019, yet I performed hundreds of repairs. Repair guns are returned to the owner who brought them in so there should be no need for a background check. However, if this law passes as is, I would be required to do a background check on every repair gun, which will simply drive business out of state....

At the end of the day, this bill was written because a convicted armed robber who was sentenced to 10 years in prison, but only served 18 months of his sentence, masterminds a scheme to burglarize area gun stores 8 months after getting out of prison, then ends up ruining the lives of two 17-year-olds and gets a third 17 year old killed in the process. And after all of that, this twice convicted felon will spend less than three years in prison. The people who wrote this legislation would rather treat tens of thousands of innocent Marylanders like criminals, and ruin the lives of small business owners, then punish the real criminals responsible for this mess....

Maryland doesn't need more gun laws; we need laws that take prosecutorial discretion away from prosecutors when it comes to charging repeat violent offenders.

I oppose this legislation and I respectfully request an unfavorable report.