

**Testimony for the House Judiciary Committee
March 1, 2021**

HB 638 – Public Safety- Untraceable and Undetectable Firearms

FAVORABLE

To Chairman Clippinger, Vice Chair Atterbeary, and Committee members,

My name is Melissa Ladd. I am a volunteer with Maryland Moms Demand Action and I live in Olney, Maryland (District 19). I am testifying in support of HB 638 Untraceable and Undetectable Firearms.

Currently in Maryland, gun traffickers, violent domestic abusers, convicted felons, and a host of others who could not pass a background check, can legally purchase unfinished frames and receivers and other parts and kitsⁱ which can easily be turned into guns. Right now, anyone can buy the building blocks of a firearm online without a background check and, without any special equipment or expertise, and use those parts to create what is known as a “ghost gun.” These weapons have no serial numbers, making them impossible to trace when used in crimes. These untraceable, and in the case of all-plastic 3D-printed guns, undetectable firearms threaten our public safety, thwart law enforcement investigations, and allow criminals to end-run Maryland’s strong gun laws. HB 638 would close a gap in existing gun laws and help to keep ghost guns out of dangerous hands.

Since 2019, ghost guns have gone from a seemingly minor threat to an exponentially more dangerous problem across the country. In Maryland, the ATF reported the recovery of 117 ghost guns in 2019, with nearly a quarter of those recovered in the city of Baltimore alone. In 2020, the Baltimore City Police Department recovered more than three times as many ghost guns by December 1, as it had in all of 2019.ⁱⁱ In DC, law enforcement officials recovered only three ghost guns from crime scenes in 2017. By 2018, it was up to 25, and by 2019, they found 115 ghost guns.ⁱⁱⁱ In California, law enforcement is already finding that *30 percent of all guns recovered* are un-serialized ghost guns.^{iv}

Eight states and the District of Columbia have already passed ghost gun laws to regulate 3D printed or DIY firearms. Maryland should be the next state to join New Jersey, Rhode Island, Connecticut, California, New York, Washington, Massachusetts, and Virginia. Many more states across the country are currently working on legislation to combat this issue.

Once the domain of a few skilled hobbyists and artisans, homemade firearm manufacturing has become an appealing new hobby for criminals and prohibited purchasers. Easy, unfettered access to these kits, along with rapidly advancing 3-D printing technology,^v means that anyone can now

legally possess everything needed to assemble a ghost gun, regardless of age, criminal history, or other prohibiting causes. These DIY kits are carefully designed by unscrupulous sellers to come as close to providing the end user with a firearm as possible without falling under the legal definition of a “firearm.” After purchasing one of these kits, without a background check, all someone would need to build a fully functioning firearm are a few basic tools and access to instructional videos on YouTube.

In addition to evading our background check system, some of these ghost guns can also evade detection. HB 638 would also protect law enforcement and the public from undetectable weapons that could be carried through metal detectors or disassembled to evade x-ray machines. By putting in place reasonable regulations prohibiting the purchase, possession, sale, and manufacture of undetectable, untraceable, and un-serialized firearms, this legislation makes sure that our laws are keeping up with rapid changes in technology and the rising threat of ghost guns.

Increasingly, gun traffickers have learned they can make a lot of money selling ghost guns and ghost gun parts, especially in states like ours with stronger gun laws. According to a recent *Baltimore Magazine* article, “the path of crime guns within the Iron Pipeline—from retail establishment of origin to the underground gray and black markets—is varied and loose... A small but fast-rising number of crime guns in Baltimore (51 through September) are so called ‘ghost guns,’ firearms legally made from mail-order kits without serial numbers and resold on the street—again, mostly from sources outside the city.”^{vi}

Because ghost guns cannot be traced by law enforcement, their proliferation will also have a negative impact on crime rates for another reason. Across the country, we not only have a gun violence crisis, but there is also a crisis of unsolved shootings. With most cases, when police find a gun at a crime scene, they can use the serial numbers to do a trace to learn about where the weapon came from, identify potential suspects, and learn about gun trafficking patterns. With ghost guns, they cannot, which means they have no leads and there will be even more unsolved murders. The systemic failure to solve gun crimes is not just heartbreaking for families and communities, it fuels more violence. Shooters walk free, getting away with their crimes, people lose faith in the police, and some decide to try to find justice on their own.

In American cities hit hardest by gun violence, especially Baltimore, the odds that police will solve a shooting are “abysmally low and dropping,” according to *The Trace*. Just like with gun violence, the burden of unsolved shootings disproportionately impacts Black and brown communities. According to FBI data, when someone is shot and killed, white victims can expect an arrest 53% of the time, but if the victim is Black or Hispanic, the arrest rate is only 35%.^{vii} Baltimore’s murder clearance rate is among the worst in the country.^{viii} There are already too many unsolved murders and the proliferation of ghost guns undoubtedly making investigations more difficult.

Some examples of the ghost gun problem: (**Maryland-specific stories in bold**):

- 1) In 2013, a CA man shot and killed five people and wounded four in Santa Monica with a homemade AR-15-style rifle.^{ix}
- 2) **In July 2016, a gunman in Baltimore used an AR-15 assault-style rifle that he'd assembled to shoot at four police officers who returned fire and killed him.**^x
- 3) In November 2017, a man with severe mental illness and a criminal history prohibiting him from purchasing firearms, got around CA's tough gun laws by ordering parts to assemble an AR-15 assault-style rifle, and shot and killed 5 people and wounded 12, including 3 children, in Rancho Tehama Reserve.^{xi}
- 4) In January 2018, a New Jersey man was arrested for unlawfully manufacturing and selling ghost guns out of his home.^{xii}
- 5) Also in January 2018, the *Wall Street Journal* reported, in an article titled, "The Rise of Untraceable 'Ghost Guns,'" about a man manufacturing untraceable firearms in the Los Angeles machine shop where he worked who had sold five weapons to a convicted felon turned gun trafficker and offered to deliver 100 more before he was caught.^{xiii}
- 6) **On February 15, 2018, one day after the Parkland, Florida, school massacre, a high school student at Clarksburg High School in Montgomery County, Maryland was arrested bringing in a handgun he built at home using tools from a home improvement store.**^{xiv}
- 7) On February 13, 2019, a Dallas man who was prohibited from possessing firearms was sentenced to eight years in prison after he was arrested two years earlier with a partially 3D-printed AR-15 assault-style rifle and a hit list of lawmakers' addresses.^{xv}
- 8) **Also in February 2019, a US Coast Guard lieutenant, who had amassed an arsenal of firearms and gun components used to fabricate untraceable home-built weapons, was arrested by federal authorities who said he was planning a domestic terrorist attack.**^{xvi}
- 9) In July 2019, in nearby Alexandria Virginia, a convicted felon prohibited from possessing a firearm killed his 84-year-old grandfather with a gun he built from parts purchased online.^{xvii}
- 10) **On August 13, 2019, police said they found a loaded "ghost gun" with a high-capacity magazine attached, as well as cash and drugs, on an Edgewood man sleeping on a sidewalk in Bel Air.**^{xviii}
- 11) In November 2019, a ghost gun was used in the Santa Clarita school shooting, where the gunman shot five classmates, killing two.^{xix}
- 12) **In December 2019, a Montgomery County, Maryland, man who sold illegal guns to drug dealers, heroin users, robbers and gang members, was sentenced to 9 years after the State's Attorney and County police worked for two years to take "this purveyor of ghost guns" off the streets, so that "our region has one less source for illegal guns."**^{xx}
- 13) **In January 2020, the FBI arrested 3 white supremacists in Maryland ahead of the MLK Day gun rights rally in Richmond, who "planned to start a race war" and were in possession of a fully automatic homemade machine gun.**^{xxi}

There is still work to be done to end gun violence in Maryland, especially now with the rise of ghost guns. Our laws speak to our priorities—untraceable, undetectable firearms pose too great a risk to the safety of our communities. No one solution will solve all the gun violence we experience in Maryland. However, preventing the exponential proliferation of ghost guns, before it is too late, is a critical step toward reducing gun violence. Please support HB 638 to regulate undetectable and untraceable firearms, helping to keep firearms out of dangerous hands.

ⁱ <https://everytownresearch.org/report/the-rising-specter-of-ghost-guns>

ⁱⁱ <https://foxbaltimore.com/features/operation-crime-justice/number-of-ghost-guns-recovered-in-baltimore-more-than-triples>

ⁱⁱⁱ <https://www.washingtoncitypaper.com/news/city-desk/blog/21109272/dc-recovered-115-ghost-guns-in-2019-up-from-25-the-year-before>

^{iv} <https://www.thetrace.org/2019/05/ghost-gun-california-crime>

^v <https://everytown.org/report/the-danger-of-downloadable-guns>

^{vi} <https://www.baltimoremagazine.com/section/community/iron-pipeline-gun-violence-out-of-state-traffickers>

^{vii} <https://www.thetrace.org/features/murder-solve-rate-gun-violence-baltimore-shootings>

^{viii} <https://www.washingtonpost.com/graphics/2018/investigations/unsolved-homicide-database/?city=baltimore>

^{ix} <https://www.latimes.com/local/la-xpm-2013-jun-12-la-me-santa-monica-gun-20130613-story.html>

^x <https://www.nbcnews.com/news/us-news/california-mass-shooter-made-his-own-killing-machines-n821516>

^{xi} <https://michellawyers.com/wp-content/uploads/2021/01/McFadyen-2019-11-14-Complaint.pdf> ;

<https://maps.everytownresearch.org/massshootingsreports/mass-shootings-in-america-2009-2019/> ;

<https://www.nbcnews.com/news/us-news/california-mass-shooter-made-his-own-killing-machines-n821516>

^{xii} https://www.nj.com/atlantic/2018/01/man_was_building_selling_dozens_of_ghost_guns_out.html

^{xiii} <https://www.wsj.com/articles/the-rise-of-untraceable-ghost-guns-1515061800>

^{xiv} <https://www.germantownpulse.net/single-post/2018/04/12/germantown-teen-who-brought-e2-80-9cghost-gun-e2-80-9d-to-clarksburg-high-school-to-expe>

^{xv} <https://www.justice.gov/usao-ndtx/pr/man-carrying-prohibited-3d-printed-gun-found-list-lawmakers-addresses>

^{xvi} <https://www.wsj.com/articles/coast-guard-officer-accused-of-planning-terror-attack-amassed-an-arsenal-11550789657>

^{xvii} https://www.washingtonpost.com/local/public-safety/angry-over-being-kicked-out-he-shot-his-grandfather--then-tried-to-cut-off-the-84-year-olds-head/2019/02/08/756084fa-2b0d-11e9-b011-d8500644dc98_story.html?fbclid=IwAR1REc9y2b2h7dSifAYTkYNDaP_iFwL-4gK8TEsbkXMTtpj72866qJHp9vM

^{xviii} <https://www.baltimoresun.com/maryland/harford/aegis/cng-ag-belair-gun-arrest-0816-20190816-kqovj7jhzgbxful3qriywrme-story.html>

^{xix} <https://www.latimes.com/california/story/2019-11-21/santa-clarita-shooting-45-caliber-gun-saugus-high-attack-a-ghost-gun-sheriff-says> & <https://www.thetrace.org/2019/11/santa-clarita-school-shooting-ghost-gun>

^{xx} <https://www.nbcwashington.com/news/man-gets-9-years-in-prison-in-ghost-guns-case/2182577/>

^{xxi} <https://www.thetrace.org/2020/01/white-supremacists-the-base-fbi-virginia-diy-ghost-gun>